



2015 Waste Pesticide Collection Program Legislative Report



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Cover photo: Collected waste pesticides waiting for shipment at Rothsay, MN agricultural chemical dealership.

Executive Summary

Under legislative authority, the Minnesota Department of Agriculture (MDA) created a Waste Pesticide Collection (WPC) program in 1990. The original intent was to provide disposal opportunities for farmers that stored unwanted and unusable pesticides. During the first 10 years that the program operated, hundreds of tons of farm waste was collected for proper disposal, but gradually the waste stream changed and there was a noticeable decline in the amount of farm waste pesticide collected indicating that less waste pesticides are stored in barns, sheds, and on farms than when the program began.

As farm waste totals declined, the WPC program collected and disposed of much more waste pesticide generated from households. As the program evolved, the MDA entered into voluntary cooperative agreements with county-run household hazardous waste (HHW) facilities to capture waste pesticides at local facilities. HHW facilities that enter into a cooperative agreement may choose to collect household waste pesticides, farm waste pesticides, or both.

The partnerships between the MDA and counties have been very productive. In the last 10 years, farm waste pesticide collection averaged approximately 50,000 pounds per year, while household waste totals have yielded around 300,000 pounds annually in recent years. All but one (1) of 87 Minnesota counties is covered by a cooperative agreement. A total of 18 counties collect household waste pesticide only; the remaining 68 counties collect both household and farm waste pesticides.

The waste pesticide surcharge on pesticides registered in Minnesota was established to fund cooperative agreement collection costs including all disposal and related costs as well as county overhead costs incurred under cooperative agreements. The amount of household waste collected on an annual basis shows no sign of decline. As waste volumes increase so do program costs. In recent years, the MDA has expended all revenues generated by the waste pesticide.

**In this report, 'farm' waste pesticides refers to any waste pesticide held by commercial, noncommercial, licensed or unlicensed pesticide users other than household products.*

Background

Pesticides are chemicals used to control all sorts of pests including weeds, disease, insects, fungus, parasites, rodents and other pests. Pesticides are distributed in various formulations that range from highly-concentrated agricultural chemicals that are diluted prior to application, to ready-to-use home and garden products that are pre-mixed and mostly comprised of water.

Pesticides are a widely used and important tool in crop production. Pesticides are also used in greenhouses, nurseries, golf courses, and commercial lawn care. Pesticides are also commonly used in homes, yards and gardens. The nature of pesticides is to kill or control a pest.

The U.S. Environmental Protection Agency (EPA) conducts a risk assessment of potential human health and environmental effects associated with use of the product. Pesticides are hazardous by their nature and a manufacturer can only register a product if the EPA assessment results are acceptable. Once the manufacturer's application is approved, a label is prepared that provides instructions to minimize risks during handling and use. If not handled properly, including proper disposal of unused product, pesticides can pose health and environmental risks.

Manufacturers must also register their pesticide products with the MDA to distribute them in Minnesota. As a condition of state registration, manufacturers pay a registration fee and the waste pesticide surcharge.

For the past 25 years, the WPC program has provided opportunities to safely dispose of unwanted or unusable pesticides. Nearly 7 million pounds of farm and household waste pesticide has been collected for proper disposal during this time.

The collection program looks much different today than when it began in 1990. Over 75 percent of all waste pesticide collected comes from households. Farm waste pesticide collection yields have dropped to a yearly average of 50,000 pounds or less.

Legislative

Per Minnesota Statute, Chapter 18B.065, Sub. 3(b), the MDA must annually report on WPC progress and pesticide collection totals by March 15th. Statutory reporting requirements include:

1. Each instance of a refusal to collect waste pesticide or the assessment of a fee to a pesticide end user;
2. Waste pesticide collection information including a discussion of the type and quantity of waste pesticide collected by the commissioner and any entity collecting waste pesticide under cooperative agreements with the state during the previous calendar year;
3. A summary of waste pesticide collection trends; and,
4. Any corresponding program recommendations.

The legislature approved several statute changes during the 2015 session that enabled the WPC to operate with greater efficiency. Recording requirements for collected waste was streamlined. After a two year pause in recording information about collected waste pesticide, only the overall total pounds collected and pounds of agricultural waste will be recorded beginning in 2016. Such data will provide sufficient information to monitor the waste stream and identify trends. Additionally, the program now has more scheduling flexibility to locate collection events in areas that are not covered by a cooperative agreement.

Program Milestones

Table 1 below provides a list a program milestones.

| Year | Milestone |
|-----------|---|
| 1989 | Survey shows three (3) million pounds of waste pesticides are stored on farms in the state. |
| 1990 | First waste pesticide collections occur in Minnesota. |
| 1990-2002 | Collection of farm waste pesticide averages 150,000 lbs. per year. |
| 1996 | The MDA reaches out to counties and establishes informal collection partnerships. |
| 1999 | Per-pound household collections outnumber farm waste pesticide collection totals for the first time in program history. |
| 2000 | Largest single year collection total = 225,000 pounds/farm waste; 180,000 pounds/ household waste. |
| 2008/2009 | Waste Pesticide Task Force proposals and legislated program changes take effect. |
| 2009 | \$50-product Waste Pesticide Surcharge (\$50) established to fund county costs. |
| 2009 | The MDA is required to collect waste pesticide in all counties unless a county agreement to do so exists. Recordkeeping requirements are established. |
| 2009 | The MDA begins to pay county disposal and overhead costs for household/farm waste pesticide collection. |
| 2013 | Legislature suspends recordkeeping requirements for 2014-2015. |
| 2013-2014 | MMB-Management Analysis Development studies collection data (4 years) to identify trends and offer recommendations for future program strategies. |
| 2014 | A total of 86 (out of 87) Minnesota counties sign cooperative agreements to collect household waste; 51 counties agree to collect farm waste. |
| 2015 | Legislature approves programmatic changes that promote program efficiencies. |

Collaboration

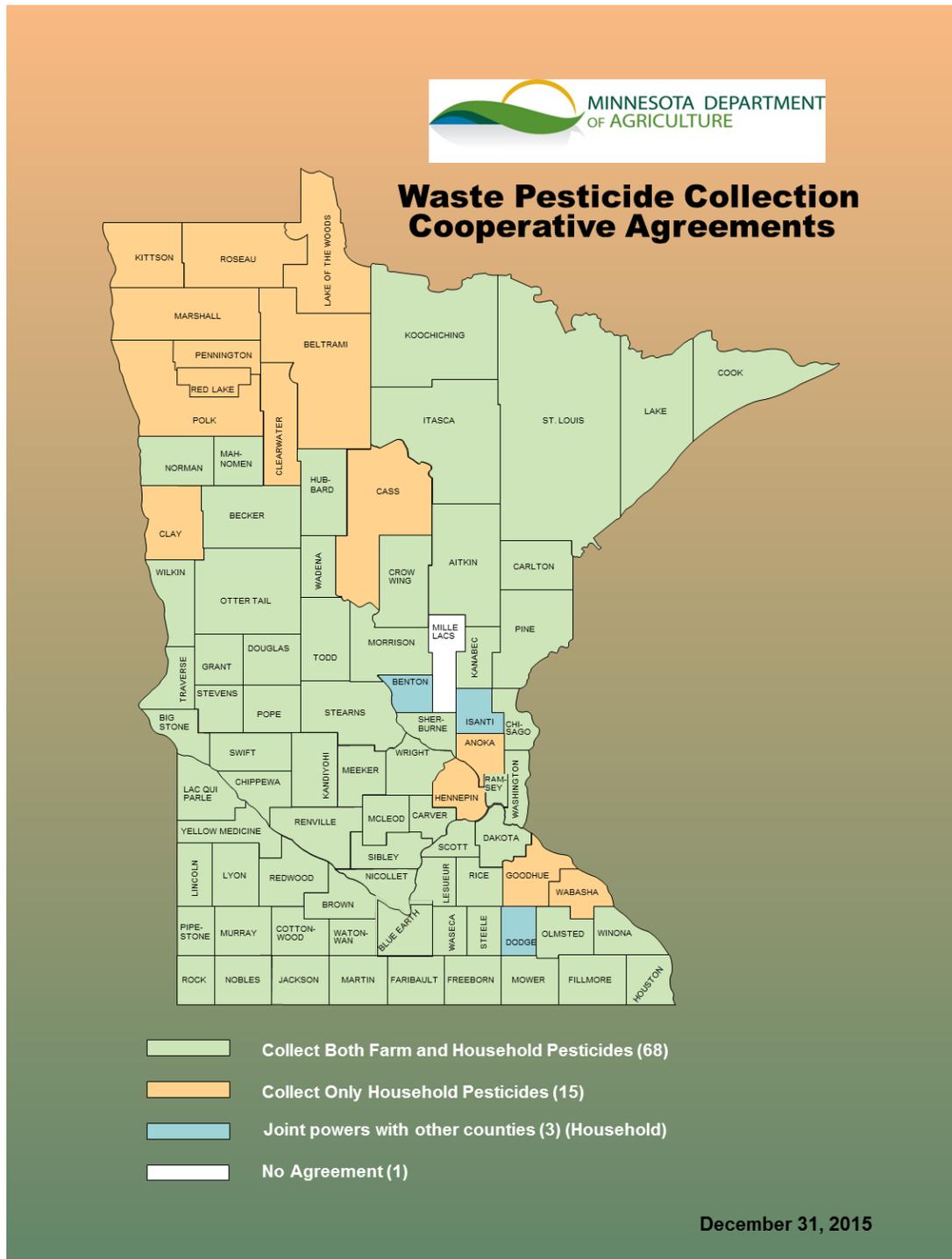
The recent changes to statute, particularly the streamlined data collection requirements, spurred several new cooperative agreements. A dozen counties expanded their cooperative agreements from collecting only household waste, to also collecting agricultural waste pesticide. This change resulted in more county organized collection events that targeted the whole waste spectrum during the year. The MDA did not organize any collection events.

Currently, there are cooperative agreements in place in 86 Minnesota counties. Of those, 68 counties collect both household and farm waste pesticide and 18 counties collect household waste pesticide only. A single county has opted out of the program. The MDA continues to engage counties in order to expand the network of cooperative agreements and the MDA expects other counties to expand their collection agreements in the future.

Table 2 below lists the number of counties that: collect household/farm; collect household only; have no agreement.

| Type of Waste Pesticide Collected | Number of Counties 2015 | Number of Counties 2014 |
|--|--------------------------------|--------------------------------|
| Household and farm waste pesticides | 68 | 56 |
| Only household waste pesticides | 18 | 30 |
| Neither household nor farm waste pesticides; declined MDA cooperative agreement offer | 1 | 1 |

Figure 1: Map of county participation in Minnesota

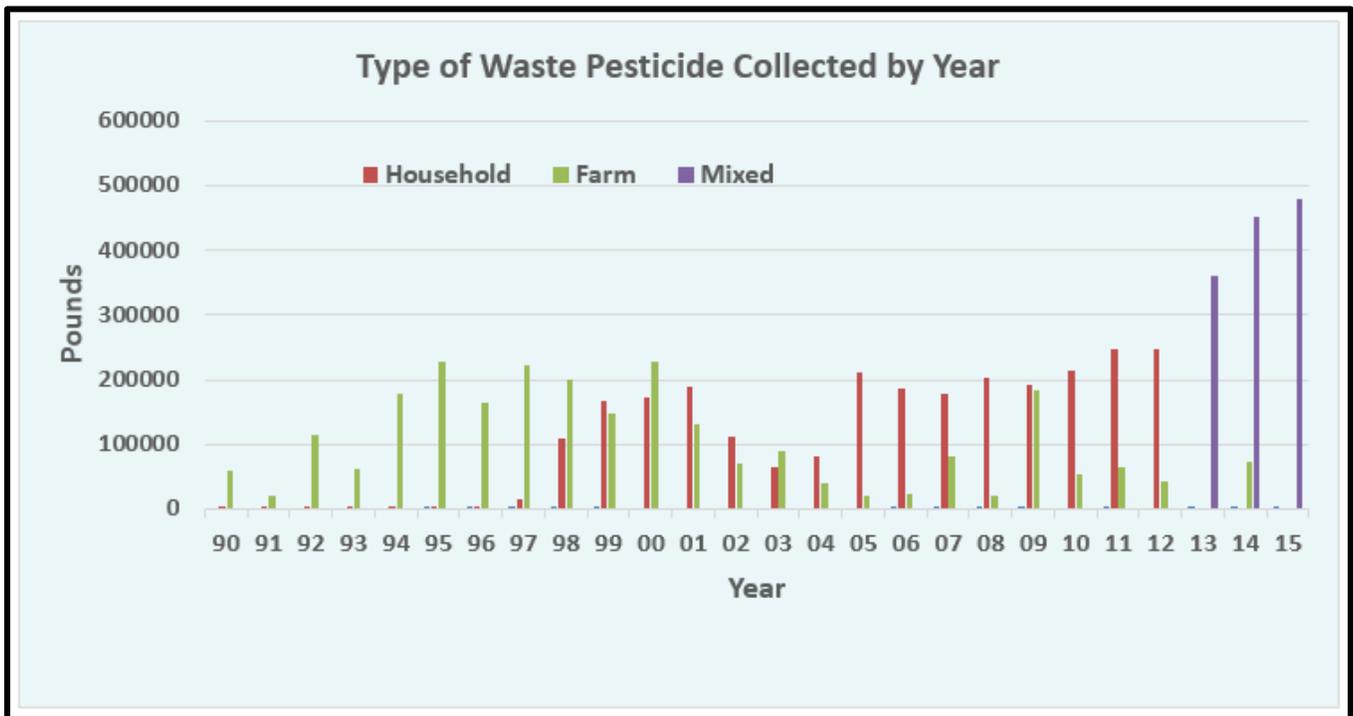


2015 Collection Totals & Trends

For many years, the MDA organized and implemented collection events that focused on agricultural waste throughout the state. As the farm waste totals declined, the partnerships with county and HHW organizations provided opportunities to target other types of pesticides. Today, most of the collections are organized by HHW entities that have entered into a cooperative agreement with MDA; located at their facilities, using their staff. The MDA organizes collection events in the few areas that are not covered by cooperative agreements.

Collections in 2015 yielded a combined total of 477,804 pounds of agricultural and household waste pesticide. No additional breakdown of the waste stream is available because of the pause in record keeping that was directed by the legislature. In 2014, cooperating counties collected 452,025 pounds while MDA events netted 71,884 pounds of waste pesticide for a combined yearly total of nearly 524,000 pounds. Cumulative program costs and collection yields fluctuate on an annual basis but overall both are trending upward. To the MDA's knowledge, no waste pesticide has been refused at any cooperating county facility or other collection site during the 2015 collection season and no participant has been charged for disposal costs.

Figure 2: below shows total pounds collected during the history of the program, from 1990 to 2015. Note that 2013 thru 2015 total pounds collected do not completely differentiate types of waste collected due to the suspension of record keeping.



More than 14 million dollars have been spent collecting and disposing of waste pesticides since the program began. Program funds are derived from two sources: the Pesticide Regulatory Account (PRA) and the Waste Pesticide Cooperative Agreement Account. PRA dollars come from pesticide registration fees paid by companies registering pesticide for use in Minnesota and from fees for licenses and permits issued by the MDA. More than 75% of the dollars spent on the program during its history have come from the PRA.

In 2009, the waste pesticide surcharge was established to pay for costs related to cooperative agreement activities. This \$50 per product surcharge is an additional condition of registration. The revenue generated pays for costs incurred collecting waste pesticides under cooperative agreements including: public notices, collection supplies, transportation and disposal costs and county overhead. The MDA is permitted to use unspent surcharge revenue to cover costs related to MDA organized collections.

As more counties sign on to full cooperative agreements, collected waste totals rise and program costs increase. The dollars generated by waste pesticide surcharge have been fully expended in recent years and the MDA has used PRA dollars to pay for program work. The collection costs totaled \$689,832 in 2015; the costs were \$745,981 in 2014 which included several MDA sponsored events. From FY2010 to FY 2015, surcharge revenues totaled approximately \$3.8 million while approximate collection costs equaled about \$4.1 million. These totals are estimates and do not include all program administration expenses.

Collections that operate locally from an existing HHW site offer the greatest program efficiency, convenience and cost benefit. The approximate cost for disposal of waste pesticide collected by counties reflects these efficiencies and overall is lower than comparable costs for waste collected at temporary MDA sponsored collection events. A rough average cost to dispose of a pound of waste pesticide collected under a cooperative agreement is around \$1.44 per pound; using a similar calculation the collection cost for waste taken at an MDA event is more than \$1.00 per pound higher.

Table 3 shows costs of managing waste pesticides collected through counties under agreement with MDA.

| Cost | 2015 | 2014 | 2013 | 2012 |
|----------------------------|------------------|------------------|------------------|------------------|
| Disposal | \$570,682 | \$527,902 | \$421,547 | \$375,499 |
| Advertising | \$976 | \$800 | \$350 | \$1,350 |
| Overhead | \$118,331 | \$113,006 | \$92,194 | \$90,672 |
| Total Disposal Cost | \$689,989 | \$641,708 | \$514,091 | \$467,521 |
| Total Pounds | 477,804 | 452,025 | 360,738 | 324,090 |
| Cost Per Pound | \$1.44 | \$1.42 | \$1.43 | \$1.44 |

County household hazardous waste facilities and counties under cooperative agreement with the MDA are reimbursed "reasonable overhead costs" based on the per-pound totals collected each year.

Table 4: Participating counties under cooperative agreement and a breakdown of costs per county.

| Region/County Program | Members of Region | Net Pounds Waste Pesticide Collected | Reasonable Overhead Costs Paid |
|--|--|--------------------------------------|--------------------------------|
| Becker | Becker, Norman, Hubbard, Mahnomon | 7,604 | \$1,901.00 |
| Blue Earth | Blue Earth, Watonwan | 7,919 | \$1,979.75 |
| Brown | Brown | 3,500 | \$875.00 |
| Chisago | Chisago, Isanti | 6,068 | \$1,517.00 |
| Clay | Clay | 2,215 | \$553.75 |
| Crow Wing | Crow Wing | 1,932 | \$483.00 |
| Freeborn | Freeborn | 4,401 | \$1,100.25 |
| Houston | Houston | 745 | 186.25 |
| Kanabec | Kanabec | 229 | \$57.25 |
| Kandiyohi | Kandiyohi, Meeker, Renville, Chippewa, Swift, Big Stone, Lac Qui Parle | 6,915 | \$1,728.75 |
| Lyon | Lyon, Lincoln, Redwood, Murray, Rock, Cottonwood, Nobles, Pipestone, Jackson, Yellow Medicine | 7,100 | \$1,775.00 |
| McLeod | McLeod | 3,903 | \$975.75 |
| Morrison | Morrison | 1,582 | \$395.50 |
| Mower | Mower | 2,177 | \$544.25 |
| Northwest Minnesota Household Hazardous Waste (WMNHHW) | Kittson, Roseau, Lake of the Woods, Cass, Beltrami, Marshall, Red Lake, Polk, Clearwater, Pennington | 7,690 | \$1,922.50 |
| Olmsted | Olmsted, Goodhue, Wabasha, Dodge | 10,208 | \$2,552.00 |
| Otter Tail | Otter Tail, Grant, Stevens, Traverse, Wilkin, Wadena | 3,120 | \$780.00 |
| Pine | Pine | 633 | \$158.25 |
| Pope/Douglas | Pope, Douglas | 3,658 | \$914.50 |
| PrairieLand | Martin Faribault | 3,890 | \$972.50 |
| Rice | Rice, Steele, Waseca | 9,584 | \$2,396.00 |
| Sherburne | Sherburne | 4,176 | \$1,044.00 |
| Stearns-TriN | Stearns, Benton, Sherburne | 26,572 | \$6,643.00 |
| Tricounty South | Sibley, Nicollet, Le Sueur | 3,212 | \$803.00 |
| Winona | Winona, Fillmore, Houston | 6,246 | \$1,561.50 |
| Todd | Todd | 1,230 | \$307.50 |
| Western Lake Superior Sanitary District (WLSSD) | St. Louis, Koochiching, Itasca, Aitkin, Carlton Lake, Cook | 22,804 | \$5,701.00 |

| | | | |
|--------------|------------|----------------|---------------------|
| Wright | Wright | 4,433 | \$1,108.25 |
| Anoka | Anoka | 33,128 | \$8282.00 |
| Carver | Carver | 19,678 | \$4,919.50 |
| Dakota | Dakota | 37,497 | \$9,374.25 |
| Hennepin | Hennepin | 111,310 | \$27,827.50 |
| Ramsey | Ramsey | 48,016 | \$12,004.00 |
| Scott | Scott | 16,354 | \$4,088.50 |
| Washington | Washington | 43,596 | \$10,899.00 |
| Total | | 473,325 | \$118,331.25 |

Program Recommendations

The MDA Waste Pesticide Collection program has removed nearly 7 million pounds of dangerous pesticide from this state. This is a unique program designed to protect Minnesotans and preserve the state's natural resources. The program continues to be successful in large part because of strong partnerships with county household hazardous waste collection operations.

Recent changes have increased the program's efficiency and effectiveness; collection costs and waste totals continue to rise. The efforts of HHW programs operating under cooperative agreements are highly effective and continue to yield large totals of household waste pesticides and lesser totals of farm waste pesticide. The waste pesticide surcharge which was established to pay cooperative agreement disposal costs no longer generates adequate dollars to cover all annual cooperative agreement activity costs.

Recommendations for future program success include:

1. Continue to access program operation to best meet disposal needs;
2. Continue to dialogue with county partners to ensure smooth program operations;
3. Provide partners support;
4. Evaluate the waste stream particularly the continued high yield of household pesticides at collection events and seek waste reduction strategies;
5. Engage manufacturers of household pesticides to discuss the high disposal costs for these types of pesticides; and
6. Evaluate the need for additional program revenues to cover disposal cost for products collected.