



Waste Pesticide Task Force Report and Recommendations



February 2008

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Executive Summary

“Waste pesticides” are pesticide products that are unusable, unwanted or banned for further use. Collection and proper disposal of such pesticides helps prevent negative environmental impacts. Since its inception in the early 1990s, the Minnesota Department of Agriculture (MDA) Waste Pesticide Collection Program has collected and disposed of more than 3.5 million pounds of waste pesticides. Minnesota’s program ranks among the top five states nationally in total pounds of waste pesticide collected.

While the program has been recognized for its successes, it has also received some criticism after recent program changes for not delivering a single, comprehensive collection program that includes all 87 Minnesota counties. Due to this lack of uniform county participation, the 2007 Minnesota Legislature mandated a review of the state’s waste pesticide collection activities and asked for a report on potential improvements.

The Minnesota Waste Pesticide Task Force convened in September 2007 to review waste pesticide issues in Minnesota and develop a strategy to equitably and efficiently collect waste pesticides statewide. The Task Force included representatives from the Minnesota House of Representatives, Minnesota Senate, Minnesota Department of Agriculture (MDA), Minnesota Pollution Control Agency (MPCA), Minnesota Solid Waste Administrators Association, Solid Waste Management Coordinating Board, Association of Minnesota Counties, Minnesota Farm Bureau, Minnesota Farmers Union and representatives from pesticide registrants, distributors and retailers.

The Task Force met four times from September to December 2007. During this period, the group addressed issues including the historical roles of MDA and MPCA in their collection of agricultural and household waste pesticides, changes over time to the waste pesticide stream due to decreasing volumes of agricultural waste pesticides and increasing volumes of household waste pesticides; and availability and frequency of agricultural waste pesticide collections and program costs.

The Task Force discussed several options to address the collection of household and agricultural waste pesticides, and recommended the following:

1. Increase MDA’s current waste pesticide collection program budget from \$300,000 per year to between \$1.2 million and \$1.3 million (\$900,000 to \$1,000,000 increase).

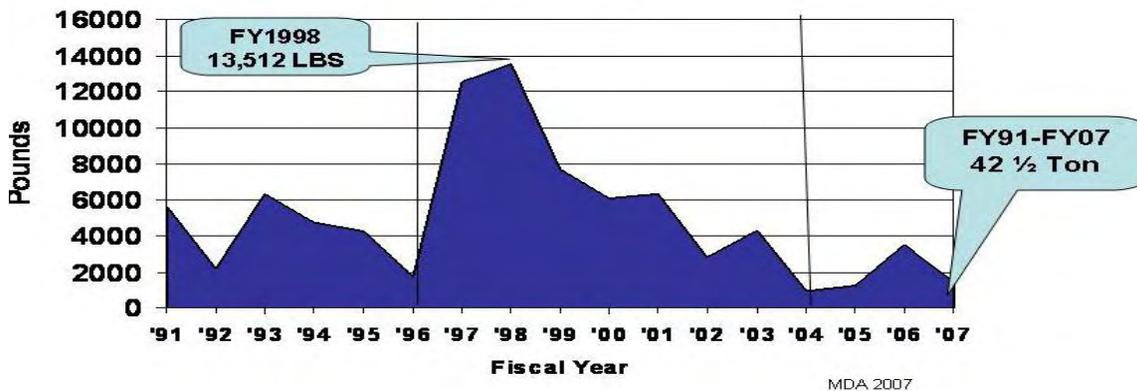
2. Increase the number and frequency of agricultural waste pesticide collections to a level that provides the service annually to every county, and have MDA pay all associated costs. It is the Task Force’s understanding that MN Household Hazardous Waste (HHW) facilities are not interested in collecting agricultural waste pesticides. MDA expressed it’s willingness to pay for supplies, transportation and disposal costs associated with collections of agricultural waste pesticides at HHW facilities. MDA will seek new partners for collections of agricultural waste pesticides.
3. MDA pays for the supplies, transportation and disposal of all household waste pesticides routinely collected by county Household Hazardous Waste (HHW) facilities. MDA would not be responsible for any “overhead” costs; (eg., personnel, building/location cost, advertising, etc.). Those costs would be the responsibility of the counties and/or MPCA.
4. Require HHW facilities and MDA to record and report the types and amounts of all household and agricultural waste pesticides collected.
5. The \$900,000 to \$1 million in increased funding from the MDA is not sustainable from the dedicated accounts in the long-term. Therefore the legislature should provide additional revenues or direct the MDA to eliminate other program services paid, which are funded from dedicated accounts.
6. The MPCA should continue to provide HHWs resources for household waste pesticide collection efforts. Currently MPCA provides \$600,000 to outstate HHWs for their household hazardous waste programs. (MPCA estimates household hazardous waste pesticides comprise approximately 3% of the household hazardous wastes collected).

Background on Minnesota’s Waste Pesticide Collection

The Minnesota Department of Agriculture (MDA) has collected and disposed of Minnesota’s agricultural waste pesticides by several different means since the department’s program began in 1990.

MDA collections began in 1990 (per Minnesota Statutes 18B.065). At that time, established county household hazardous waste (HHW) facilities did not accept agricultural pesticides. In the early years of the program, MDA typically held collections in northern counties in even-numbered years and in southern counties in odd-numbered years. MDA held collections at a variety of locations including agricultural chemical retail facilities and county highway shops. MDA kept detailed records of the types and amounts of waste pesticides collected. The chart below depicts the historical volumes collected in regard to one well-known pesticide:

Example Waste Pesticide Collected DDT Insecticide

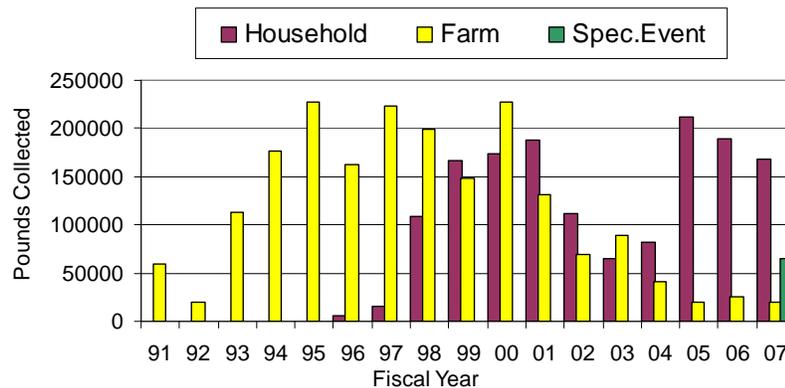


In 1996, MDA contracted with six Regional HHW facilities to accept agricultural waste pesticides in special situations, such as upon the death of a farm operator and sale of the farm site. MDA paid the facilities a stipend and also started paying for disposal costs of household waste pesticides collected during routine HHW collection activities. This approach offered the public a greater number of accessible locations for agricultural waste pesticide disposal.

From 1996 to 2001, MDA's Waste Pesticide Collection Program paid for the associated supplies, transportation and disposal of 767,000 pounds of household waste pesticides collected by Minnesota HHW facilities. HHW facilities have indicated that they may have collected additional household waste pesticides however no records were kept detailing those amounts. The total volume of agricultural waste pesticides from farmsteads and agricultural retailers declined. Decreases in agricultural waste pesticide volumes were thought to be due as a result of advancements in the development and use of ultra-low-volume pesticides, increase in commercial (vs. farmer) pesticide applications and product stewardship outreach activities.

While agricultural waste pesticide collection demand was declining, household waste pesticide collection demand continued to rise. This may, in part, be the result of HHW programs continuing to advertise for household hazardous waste collections. From fiscal years 1998 to 2001, the MDA expenditures often exceeded its \$600,000 annual budget. This was due primarily to the increasing volumes of household waste pesticides. By 1999, household waste pesticides exceeded 50 percent of the waste pesticides collected statewide. At the same time, individual agricultural collections proved to be quite expensive due to high mobilization and transportation expenses associated with serving distant collection sites. In light of these challenges, and with consideration to budget resources and demands, it became clear that the program needed modification. The graph below shows pounds of household and agricultural waste pesticides collected.

Source of Waste Pesticides



In 2002, MDA assembled an ad hoc advisory committee to review and propose changes. The committee included representatives from the MPCA/Office of Environmental Assistance, HHW facility program managers, the Solid Waste Administrators Association, the Solid Waste Management Coordinating Board, and MDA’s Waste Pesticide Collection Program staff. The committee developed a new cooperative agreement approach that provided farmers and agricultural businesses with means to dispose of agricultural waste pesticides at established HHW facilities. HHW facilities retained discretion as to when and how agricultural pesticides could be delivered, as well as the authority to charge fees for such collections. In turn, MDA paid for costs incurred for supplies, transportation and disposal of both agricultural and household waste pesticides. The MDA provided waste pesticide program oversight, coordination, fund distribution and data management.

This new approach based funding allotments on a formula that considered the number of households, farms and licensed agricultural businesses in a particular county. MPCA funding to out-state HHW facilities was not included in MDA’s calculations. If a county depleted an MDA annual allotment prior to the end of the fiscal year, the county had four options:

- apply for any unspent disposal dollars (although this hinged on other counties also not fully expending allotted MDA funds);
- stop accepting agricultural waste pesticides until the next fiscal year when new funds would become available;
- accept and store waste pesticides collected until the next fiscal year when new funding would be available; or,
- charge farmers for the full costs of disposal.

Responding to a request by Task Force members, MDA obtained waste pesticide collection program information from 17 states. The summarized information is available on MDA's website and describes, in brief, the frequency of collections, funding sources, and range of program funding. Findings included:

- 14 of 17 of states had waste pesticide collection program budgets of \$300,000 or less.
- Less than 50 percent of the states with permanent or continuous collection programs were funded from pesticide registration fees.
- More than half of the states held five or fewer collection events annually.

Past and Present Agricultural and Household Waste Pesticide Program Funding

MDA's Waste Pesticide Collection program has been funded from a variety of pesticide regulatory fees including fees assessed to pesticide manufacturers for registration and distribution of pesticides in Minnesota, fees collected from pesticide dealer licenses, commercial pesticide applicators licenses, and penalties collected by the MDA pesticide enforcement program. Since 1991 the pesticide registration fee has remained unchanged although other types of fees have been modified by the legislature.

County HHWs also receive funds from the MPCA Environmental fund (via Select Committee On Recycling and the Environment (SCORE) HHW grants). The Environmental fund receives revenue from many sources including the solid waste management tax. The solid waste management tax is a statewide tax on the collection and disposal of solid waste. The SCORE HHW grants help fund the county HHW programs of which waste pesticides account for approximately 3% of their waste stream.

Task Force Options

The Waste Pesticide Task Force identified six program collection options, and a seventh was offered by a subgroup of Task Force members during the final meeting. The options are as follows:

Option A

- Collection events for agricultural waste pesticide, with one site per county every year. Serve agricultural/business pesticide end users.
- Continue to record agricultural pesticide data
- HHW facilities not included
- **Budget: \$600,000 - \$700,000**

Option B

- Collection events for agricultural waste pesticide, with one site per county every other year. Serve agricultural/business pesticide end users.

- 2 year collection cycle; 44 counties/year
- Continue to record agricultural pesticide data
- HHW facilities not included.
- **Budget: \$300,000 - \$350,000**

Option C

- HHW facilities collect household and agricultural waste pesticides from local residents.
- Create incentive system for collecting agricultural/business waste pesticide
- All pesticide data recorded; (household and agricultural)
- Mandated HHW facilities participation
- **Budget: \$400,000 - \$550,000**

Option D

- Grant Program
- HHW applies to MDA for grant money to cover household and agricultural waste pesticide disposal.
- Funding received after collection and disposal
- All pesticide data recorded (household and agricultural)
- Grant amount controls dollars available and allocated pre-collections
- No mandate for HHW facilities to participate
- MDA collects agricultural waste pesticides only in counties that do not apply for funding
- **Budget: \$450,000 - \$600,000**

Option E

- Permanent HHW facilities collect household and agricultural waste pesticide.
- Counties not served by a permanent HHW facility would be serviced by MDA via one day collections every two years.
- All pesticide data recorded (household and agricultural)
- Likely should be mandated
- **Budget: \$450,000 – \$600,000**

Option F

- Farm and business waste pesticides dropped off at local agricultural chemical facilities in counties without permanent HHW facilities.
- Facilities would accept drop offs, host collections and safely accumulate agricultural/business waste pesticide for most of out-state Minnesota
- Collections would take place over a specific time period (i.e. one week). MDA would pick-up the collected agricultural waste pesticide via “milk-runs.”
- All pesticide data recorded (household and agricultural)
- Two-year cycle
- **Budget: \$400,000 - \$550,000**

Option G (Subgroup proposal) TASK FORCE RECOMMENDED OPTION

- An agricultural waste pesticide collection event would be held in every county every year and MDA would pay for collection and disposal.
- HHW facilities would collect household waste pesticides through their routine procedures at their facilities and MDA would pay for the supplies, transportation and disposal.
- All pesticide disposal data would be recorded (household and agricultural)
- **MDA would not pay for any HHW “overhead” costs (e.g. personnel, building/location cost, advertising, etc.). These costs would be the responsibility of counties and/or MPCA.**

It was the consensus agreement of the Task Force not to recommend a specific source of funding.

The Task Force requested department staff to provide details on how Option G would be implemented. The following program elements are consistent with the manner in which the MDA operated in the past:

- MDA would continue to document and record agricultural/business waste pesticides collected. HHWs would document and record household waste pesticides collected.
- MDA would plan to pay for the supplies, transportation and disposal costs in collecting all waste pesticides.
- MDA would retain “generator status” (legal responsibility) for all household waste pesticides upon shipment.
- MDA would not be responsible for any overhead costs incurred by HHW facilities.
- For cost efficiency HHW facilities would only ship waste pesticides with other household hazardous waste. HHW facilities could not ship waste pesticides independently unless pre-approved by MDA.
- MPCA would continue to indemnify the counties from collection accidents associated with household waste pesticides collections.

The Task Force requested department staff to provide details on how Option G would be implemented. The following are some internal assumptions/comments that staff have provided with the intent to be consistent with Task Force discussion.

- MDA should standardize household waste pesticides collections and recordkeeping.
- MPCA would provide \$300,000 directly to HHW facilities for household waste pesticide collection overhead costs, not including disposal costs.
- MDA should be allowed to direct household waste pesticide reduction efforts through the HHW facility system.
- MDA would need funding from other sources to supplement funds from the MDA Pesticide Regulatory Account as the expenditures are not sustainable in the long-term.
- MDA and county solid waste management staff would coordinate information and advertising/outreach efforts regarding the location of the agricultural/business events in their counties.
- The legislature should consider clarification of Minnesota Statutes regarding existing dual authority (MDA and MPCA) for household waste pesticides.

MDA Administrative Cost Estimates for Options A – G:

Option	Tech. staff	Admin. staff	Lodging	Meals	Vehicle	Fuel	Misc. Supplies	Printing	TOTAL
A	\$208,000	\$72,800	\$3,900	\$3,487	\$21,480	\$1,600	\$6,500	\$9,000	\$326,767
B	\$104,000	\$36,400	\$1,950	\$1,743	\$10,740	\$800	\$3,250	\$4,500	\$163,383
C	\$52,000	\$36,400	\$0	\$0	\$0	\$0	\$0	\$0	\$ 88,400
D	\$104,000	\$72,800	\$1,300	\$1,162	\$1,570	\$533	\$500	\$9,000	\$190,865
E	\$104,000	\$36,400	\$650	\$581	\$1,570	\$533	\$500	\$1,500	\$145,734
F	\$104,000	\$36,400	\$650	\$581	\$1,570	\$533	\$500	\$4,500	\$148,734
G	\$208,000	\$109,200	\$3,900	\$3,487	\$21,480	\$1,600	\$6,500	\$9,000	\$363,167

Task Force Members

Al Juhnke	Minnesota House of Representative
Jim Vickerman	Minnesota State Senate
Steve Giddings	Minnesota Pollution Control Agency
Jon Steiner	Minnesota Solid Waste Administrators Association
Mike Lein	Solid Waste Management Coordinating Board
Joe Martin	Minnesota Department of Agriculture; Chair
Victoria Reinhardt	Minnesota Association of Counties
Chris Radatz	Minnesota Farm Bureau
Thom Petersen	Minnesota Farmers Union
Bill Bond	Minnesota Crop Production Retailers
Kent Kutnink	Agriliance
Bill Gullickson	McLaughlin Gormley King Company

Task Force Meeting Minutes

The Task Force held four meetings: September 7, October 19, November 16 and December 21, 2007. The meeting minutes can be viewed online at www.mda.state.mn.us. Search “Waste pesticides” and then find “Task Force”. An electronic copy of this report is also available at this site.

Task Force Presentations & Information Provided

MDA presentations and informational material offered during the Task Force discussion are available on the MDA website. Access www.mda.state.mn.us, search “Waste pesticides” and find “Task Force”.

Appendix: Task Force Member Comments on Draft Report



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FEB 04 2008

February 1, 2008

Mr. Paul Liemandt
Pesticide and Fertilizer Management Division
Minnesota Department of Agriculture
625 Robert Street North
St. Paul, MN 55155-2538

Re: Waste Pesticide Task Force
Report, Recommendations

Dear Paul:

Thanks to you and all the rest of the contributing Department of Agriculture staff for compiling a very concise report from the four somewhat fractions meetings held at MDA HQ since September 2007.

In the discussion of the history of the program (or the "how we got here" phase) specifically on page 5, a note addressing the Department's reallocation of resources needs to be in the FY 2003 budget comment.

Our registration fees were not reduced. The minutes of our Task Force meetings clearly show that the Department's revenue from pesticide registration fees did not go down from FY 2002 to FY 2003.

Rather, resources were reallocated within the Department because other sources of revenue to the State of Minnesota did go down substantially.

Since this report is to the legislature, all of that body ought to know the whole story. The report you have prepared tells it in the concise manner to which we Task Force members agreed, save this one point.

Very truly yours,

William D. Gullickson, Jr.
Chairman

WDGJR/mn

1 of 1

From: "Jon Steiner" <jon.steiner@co.polk.mn.us>
To: "Paul Liemandt" <Paul.Liemandt@state.mn.us>
CC: "Annalee Garletz" <garletz@mncounties.org>, "Volkman, Jennifer" <Jennife...>
Date: 2/8/2008 10:25 AM
Subject: Waste Pesticide Task Force Draft Report - Comments

Mr. Liemandt,

Enclosed are my more detailed comments. I am sorry for the delay, but there was very little time given to adequately review them and comment. I had asked for them quite some time ago, and as of last week, had heard they were still not ready yet. However, I have tried to identify what I came across.

There are a few issues that I have when reviewing the Report & Recommendations (Report). I will say that I concur with Mr. Lein's take on the tone of the summary portions of the Report. Therefore, I will not re-list all of his comments, only echo them and identify others or expand on what has previously been identified. I think that some of the issues, conclusions and summaries may be factually correct, though the way they are worded skews the interpretation. For those of us quite familiar with the history, we can see the accuracy but also how these items could easily be misinterpreted. Mr. Lein laid out most of them for you in his response. However, the one I am most concerned with is the section located on pg. 5 in the lower one-half which currently states:

"In many cases partnering counties have used all of the funds allotted for household waste pesticides disposal; however, agricultural waste pesticide allotments hve not been fully spent. In several of these years, MDA had to redistribute the unspent funds; however, HHW facilities have not spent fully those redistributed monies."

There is no qualifier that most of the non-partnering counties did not participate because they were heavily agricultural and feared they would have grossly exceeded their annual allotment (which MDA's 2 hour collections in 2006 proved to be true), and several of the heavily agricultural participating counties limited their collections by either not advertising or capping the Ag pesticide program to make sure they did not exceed their allotment. These are very significant points. How you have it worded currently in the Report suggests that there were adequate funds for the program. This clearly was not the case - and everyone on the committee agreed on that point, as evidenced by the Recommendation for significantly more funds. This section of the Report also fails to mention that MDA was disappointed by the participating counties lack of success in collecting Ag pesticides even in those areas that entered into agreement with MDA.

The other issue, which was also indicated in Mr. Lein's comments, directly apply to the Task Force Recommendations. The Task Force, and specifically the two Legislators on the Task Force, were very pointed in their insistance that the Task Force not identify how the HHW pesticide administration funding would be derived. They did not want to see identification of the Solid Waste Management Tax or any other funding mechanism identified, nor mention of PCA as the funding source, because it seemingly 'tied their hands'. I know this was a sore spot for both

the MDA and PCA - as they are protective of their budgets and any additional financial obligations which may be placed on them without additional or enhanced funding streams. However, they made that point quite clearly in that last meeting, and we as a Task Force all agreed to it, so the Report should read that way.

I also did not see any language that discussed the promotion of enhanced services. As the Task Force discussed and adopted as part of their recommendation, MDA was supposed to be encouraged to work with those HHW programs/Counties that would like a higher level of service than a one-time-per-year Ag collection. MDA's concern was that it would be a blank check. The Task Force felt that seeking out these agreements would be beneficial to both parties, and encouraged it. The Task Force felt that MDA should only be responsible to contribute up to what they would have spent to provide service to that County/program once per year (referred to as 'base-level service') - anything over that amount would be the responsibility of the HHW program/county (unless other arrangements/agreements were made between MDA and the other entity) in those situations where both parties mutually agree to offer expanded service.

A brief list of other issues related to MDA's Implementation Details and Internal Assumptions/Comments are as follows:

- 1) "MDA would plan to pay for the supplies, transportation and disposal costs in collecting residential waste pesticides." change to read " ... shall provide adequate funding for ALL supplies, transportation and disposal costs ..."
- 2) MDA would provide funding for administration as well as disposal costs for agricultural/business collections." change to read " ... shall provide adequate funding for ALL administration ..."
- 3) MPCA would provide \$300,000 directly to HHW facilities for household pesticide collection overhead costs, not including disposal." change to read " An additional \$300,000 shall be provided directly to HHW ... collection administrative and overhead costs, not including disposal related costs borne by MDA."
- 4) "MDA would need funding from other sources to supplement funds from the MDA Pesticide Regulatory Account." change to allow for (1) increase in tax on pesticide sales/registration which would increase PRA fund levels, or (2) other funding sources to fund other programs currently drawing funds from PRA which would free up PRA dollars for this program.
- 5) "MDA and county solid waste management staff would coordinate information regarding the location of the agricultural/business events in their counties." change to read " ... coordinate information and advertising efforts regarding the location ... "

I assume that all Task Force members will receive a copy of the revised Report, via e-mail and USPS mail, prior to releasing it to the Chairs of the House and Senate Ag Finance Committees. I will await the arrival of the revised Report.

Thank you,

Jon D. Steiner
Env. Svs Admin
Polk County

From: "Jon Steiner" <jon.steiner@co.polk.mn.us>
To: "Paul Liemandt" <Paul.Liemandt@state.mn.us>
CC: "Annalee Garletz" <garletz@mncounties.org>, "Volkman, Jennifer" <Jennife...>
Date: 2/8/2008 10:57 AM
Subject: RE: Waste Pesticide Task Force Draft Report - Comments

Mr. Liemandt,

One final comment related to several of my suggest language changes: I continually added or altered language to reinforce the requirement for MDA to fund ALL portions of their obligation, as the Task Force intended. To make clear my intent, and I believe the underlying intent of the Task Force, the budget amount is NOT A CAP, nor should it be viewed, represented or interpreted as one now or in the future. It is expected that should you hit the budgeted amount for that given year that you will adjust your budget accordingly for that and future years to deliver that service. Its also therefore expected that there will be no charging the participant or suspending service or pushing a collection(s) off until the next fiscal year for budget purposes. This was the reason for why many Counties, both participating and non-participating, made the operational and/or political decisions that they did with regard to the Ag pesticide program.

I just wanted to make sure that this point, on behalf of myself as a Task Force member, and the other Task Force members, came through with my recommended language changes.

Thank you for your consideration.

Jon D. Steiner
Env. Svs. Admin.
Polk County

From: "Mike Lein" <MLEin@co.carver.mn.us>
To: "Paul Liemandt" <Paul.Liemandt@state.mn.us>
CC: "Jon Steiner" <jon.steiner@co.polk.mn.us>, "Annalee Garletz" <garletz@mn...>
Date: 2/7/2008 4:35 PM
Subject: RE: Waste Pesticide Task Force Draft Report

Paul - Here are a few comments of the draft report. It's unfortunate that the time is short and group discussion of these therefore unrealistic. Thus the following comments are my own and should not be considered a coordinated response.

First of all, Option G as described in the draft report does seem to be close to what was suggested by the County reps. I would note one potentially large issue. I believe it was discussed at the end of the meeting that a source for the additional funding needed would not be identified. In this case the MPCA is identified. If this remains it should be made clear that we are talking about ADDITIONAL funding, over and above the current 1 million dollars MPCA allocates to rural MN Counties. Again note that Metro counties receive none of the current allotment. Thus this funding should be new dollars dedicated to pesticide management and should include the Metro Counties.

There are what I will term as 'several' areas in the report that I believe give a misleading or slanted picture of the current program and history. For example, the third sentence in the last paragraph on page four is not correct according to my recollection. Its states "The committee developed a new cooperative agreement....." We are discussing these issues again in 2007 and 2008 precisely because the agreement was not consider a "cooperative agreement". To be blunt, counties were told what the program would be and had very little say about the final out come. That is why some did not sign and others signed very reluctantly [Carver included].

Another example is the first sentence of the first paragraph of page six. It states that MDA paid for the majority of pesticides collected by HHW facilities from 1996 to 2001. I believe that MDA did not pay for any Metro [or perhaps rural] pesticides from HHW Facilities until 1998. Thus it's hard to image that the MDA actually paid for the majority of costs at least between 1996 and 1998 - metro counties were collecting pesticides and paying for them.

Page 5 paragraph 3 [the one shaped around the graphic] could be read to imply that the current funds are not being fully utilized due to lack of need. There are many reasons that that impact the "under utilization" of the funds. These funds are not available until May of the fiscal year. This is too late for planning collections if funds are available, some facilities may not be able to gamble on the monies being available, and other may not have room to store until the funds MIGHT be available. Other counties may choose to not enthusiastically advertise for pesticides simply because of the funding limitations.

These last two comments do not actually impact the recommendation. However, these and others may cause readers of the report to question its accuracy and the credibility of the final recommendation.

Let me know if I can further elaborate on these issues.

From: "Giddings, Steve" <Steve.Giddings@state.mn.us>
To: <Paul.Liemandt@state.mn.us>
CC: "Moeger, Cathy" <Cathy.Moeger@state.mn.us>, "Volkman, Jennifer" <Jennife...>
Date: 2/7/2008 12:18 PM
Subject: Waste Pesticide Draft Report Comments
Attachments: Waste Pesticide Report Comments.doc

Please find attached comment text from the MPCA on the Draft Waste Pesticide Task Force Report and Recommendations. A hard copy will also be mailed. Should you have any questions, feel free to contact me at 651-296-7677.

<<Waste Pesticide Report Comments.doc>>

Dear Mr. Liemandt:

Thank-you for the opportunity to comment on the Draft Waste Pesticide Task Force Report and Recommendations and for the opportunity to participate on the Task Force.

I also appreciate the time that you and Greg Buzicky took to meet with MPCA leadership on this issue on December 18, 2007. During that meeting, we shared our mutual concerns about any recommendation that would impact both of our high priority programs, restrict MPCA household hazardous waste funding, or require MPCA to re-prioritize other agency programs to support household waste pesticide activities, since that is not our direct responsibility.

Our specific comments on the report from staff at the MPCA are made with this understanding in mind:

General – it is important to stress that for any expansion of services with regards to waste pesticide collection, additional funding would be needed to cover such services. Without such increased funding, cuts in existing services elsewhere would have to occur to cover the costs of the new services potentially impacting higher priority programs. This general statement should be included prominently in the report.

Use consistent term throughout report – “residential waste pesticide” or “household waste pesticide” – would suggest using “residential waste pesticide” since this is in statute.

Executive Summary (Pages 2 & 3) – recommendations 1.& 4. – In 1. the report suggests that the MDA’s current waste pesticide program budget be expanded to \$1.2 - 1.3 million and then further break it down to \$900,000 - \$1,000,000 MDA and \$300,000 MPCA. In 4. the report further recommends authorization for MPCA to pay household hazardous waste (HHW) facilities overhead of household collections (we assume with the \$300,000 mentioned in 1.).

Since these details were not worked out directly in the Task Force meetings this is confusing and it is not clear whether MDA is proposing transferring \$300,000 from the proposed increased MDA budget to the MPCA or if MDA is talking about the \$300,000 coming directly to the MPCA. If MDA is talking about a transfer, this would need to be discussed to determine how best to implement such a transfer first from the MDA to the MPCA and finally from the MPCA to the counties. The money currently distributed to counties from the MPCA via our HHW program is not tied to the management of any specific household waste stream.

The MPCA does not believe it would be in the counties best interest to place limits on the way counties may apply the dollars received from the MPCA to their HHW programs. The MPCA believes that all pesticide related wastes should continue to be managed by the MDA and therefore this may be simplified if the budget increase is all to the MDA in 1. including the authorization to MDA to pay HHW facilities for overhead of household collections in 4.

If MDA is considering the \$300,000 coming from existing MPCA funds above and beyond the MPCA's current funding of the county HHW program, the MPCA has serious concerns and opposes this recommendation. Our staff have communicated this position to Department of Agriculture staff and the Department of Agriculture Commissioner. This recommendation should be changed.

Background on the Minnesota's Waste Pesticide Collection - MDA gives various reasons for why agricultural waste pesticide volumes have decreased and residential volumes have increased. It should also be noted that HHW programs have continued to advertise residential pesticide collections as a contributing factor to increased residential volumes.

Past and Present Program Funding section (Page 6) – The title must reflect that two different programs are being discussed. The section title would appropriately read, “Past and Present Waste Pesticide and Household Hazardous Waste Funding”. The second paragraph is factually incorrect and should read:

“MPCA disperses funds from the Environmental Fund to county HHW programs (via Select Committee On Recycling and the Environment (SCORE) HHW grants). The Environmental Fund receives revenue from many sources including the Solid Waste Management Tax. The Solid Waste Management Tax is a statewide tax on the collection and disposal of solid waste. The SCORE HHW grants help fund the county HHW programs of which waste pesticides account for approximately 3% of their waste stream.”

Task Force Options (Pages 6 – 8, Options A - G) - under each option the last bullet should just list the estimated dollar amount for the budget with the parentheses removed. It was stated that this was not supposed to be in the options presented at the last Task Force meeting and therefore should not be included in the report

Task Force Option G (Page 8, 3rd bullet) – This bullet should note that the MPCA did not agree to specifically fund pesticide overhead.

Task Force Option G (Page 8, 1st Implementation Box, last bullet) – This statement is not correct and does not reflect how the MPCA indemnification works. The MPCA has never provided MDA with indemnification related to pesticide collection activities. The MPCA does indemnify counties for potential environmental liability after the State's contractor accepts the waste from the county program for transportation and proper management. We intend to continue to provide this indemnification to counties for both residential and commercial pesticides managed through the state's contractor.

Task Force Option G (Page 9, 2nd Implementation Box, 2nd bullet) – see comments above on “Executive Summary (Pages 2 & 3)”.

Task Force Option G (Page 9, 2nd Implementation Box, 5th bullet) – at end of the sentence add text so that it reads, “MDA would need funding from other sources to

supplement funds from the MDA Pesticide Regulatory Account or an increase to the 0.4% pesticide registration fee would be needed".

Task Force Option G (Page 9, 2nd Implementation Box, last bullet) - the MPCA doesn't believe that this is necessary and should be left out.