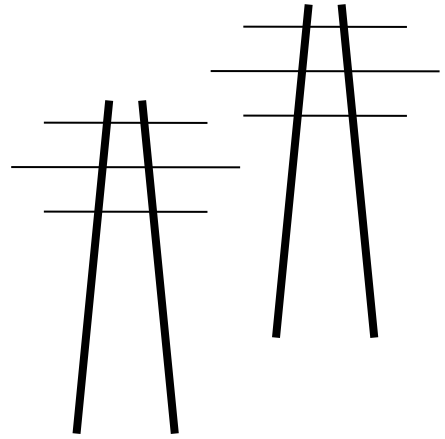


# Legalelectric, Inc.

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February 5, 2020

Linda Flanders  
Goodhue County Commissioner, District 1  
1121 West 4th Street  
Red Wing, MN 55066

RE: Landfill, Garbage, and Incineration

Dear Commissioner Flanders:

Alan Muller asked me to review your video, “Goodhue County's Solid Waste Plan”<sup>1</sup>, and frankly, I’m surprised, because there are statements that are factually incorrect. Because your video is public, and the burner is on the Red Wing Council’s Monday agenda, I’m sending this to the city for inclusion in the Council packet. The points I’m raising here should be considered by the City of Red Wing.

- **“How can we turn plastic [“solid” spoken] waste into green energy?”** Video 0.22  
That can’t happen, logically, physically, because plastic/solid waste contains toxins, and when we’re burning plastic and other garbage, we’re landfilling in the sky. Alan provided you with emissions data specific to the Red Wing burner. From Alan’s website<sup>2</sup>, Xcel’s Red Wing incinerator emissions for just one year, as reported to the MPCA<sup>3</sup>:

Criteria air pollutants	Pounds
Carbon monoxide	121,399
Lead	69
NOx	1,212,168
PM10	21,046
Sulfur Dioxide	101,949
Ammonia	149
Hydrochloric Acid	16,040
Chromium	18.11
Manganese	20.22
<b>TOTAL:</b>	<b>1,472,858 pounds</b>

How are you defining green? Do you have any demonstration that these toxic emissions are not occurring?

<sup>1</sup> [https://youtu.be/7qe\\_4JPF5e0](https://youtu.be/7qe_4JPF5e0)

<sup>2</sup> <https://alanmuller.com/xcel-energy-garbage-burners-belche-out-pollutants-in-red-wing-mankato-and-la-crosse/>

<sup>3</sup> <http://www.pca.state.mn.us/index.php/data/eda-air-quality-searches/eda-air-quality-search-point-source-data.html>

- **“What’s left over is converted into energy in compliance with strict environmental rules.”**  
Video 2:04.

What “strict environmental rules” are you referring to? Please provide citation. The MPCA does require air permits, but as you know, the Xcel Energy garbage burner’s air permit has been expired since 2009. Xcel has reapplied, grandfathering continued operation, but the air permit has not been renewed. Can it comply with newer requirements?

The County and City of Red Wing should put pressure on the MPCA and Xcel to do the work to renew the permit IMMEDIATELY. There is no excuse for a decade of delay.

- **“And it is considered a form of renewable energy.”** Video 2:05.

Please provide citation. Who considers burning garbage a form of renewable energy? Burning garbage is not defined as renewable under Minn. Stat. §216B.1691, Subd. 1, nor is it defined as renewable under Minn. Stat. §216B.2422., Subd. 1. I know from attending Senator Osmek’s Senate Energy Hearings in Rochester and Mound that he’s pushing an Omnibus Energy Bill (SC5558-6) that would add “and mixed municipal solid waste or refuse-derived fuel from mixed municipal solid waste;” to the definition of “renewable” under Minn. Stat. §216B.2422., Subd. 1, but that is not law.

Framing solid waste as binary, landfill or burning, is inconsistent with Minnesota’s garbage hierarchy. See binary framing, video 0:41; garbage hierarchy, video 1:01; little as possible into landfill, video 2:17. What this binary framing does is jump over the preferred steps in the garbage hierarchy right to “recovery,” which is a misnomer. The papers and plastics that are burned are largely recyclable. It also fails to address the exponentially increased toxicity of the burning leftovers, the ash that IS put into the landfill.

“If what we want is health soil, breathable air, clean water, then the ideal would be for all of us to reduce our use, reuse everything that we can, compost, and recycle.” Video 2:22. YES! Exactly! However, what the County is doing is burning garbage in order to transfer liability for the landfill via the Closed Landfill Program. That’s the bottom line - this is not about “green.” It’s about jumping hoops to avoid liability and cost.

There is no county program to reduce, reuse, compost, and the county’s recycling program needs strengthening, with increased attention to changing recycling markets. There is no county and city Zero Waste program. Xcel’s Red Wing incinerator is taking in garbage from Washington and Ramsey counties, inflicting those emissions on Goodhue County, and more directly, Red Wing residents.

Garbage is much like energy, it’s not a flick of the switch one-stop “solution,” but more a conscious choice to utilize many options that add up to change. Our community needs to focus action on Reduce, Reuse, Recycle, the first three tiers of the garbage hierarchy.

Very truly yours



Carol A. Overland  
Attorney at Law

cc: Red Wing City Council, for Monday’s discussion.