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August 22, 2025

Commissioner Mike Slavik, Chair
Dakota County Board of Commissioners Administration Center
1590 Highway 55
Hastings MN 55033-2343

Dear Commissioner Slavik,

I am pleased to inform you that Dakota County's Solid Waste Management Plan, dated October 29, 2024, was approved by the Minnesota Pollution Control Agency (MPCA). MPCA staff reviewed the Plan and determined that it meets the requirements outlined in Minn. Stat. § 473.803 and supports achieving the objectives of the 2022-2042 Metropolitan Solid Waste Management Policy Plan. The Findings of Fact approving the Plan are enclosed. MPCA staff found that Dakota County has developed a Plan that includes several notable elements, such as:

- Collaborate with the Minnesota Department of Health to educate state-licensed food establishments about food rescue opportunities.
- Make curbside organics collection available for residential customers in suburban cities with a population greater than 5,000.
- Host a building material collection event and provide deconstruction training.
- Develop plans to prevent and manage wood waste and promote existing programs that use EAB-affected wood for furniture, home goods, flooring and other purposes.
- Continue to support state efforts to maximize the use of existing resource recovery facility capacity serving the TCMA by sending mixed municipal solid waste from county buildings and certain city contracts in Farmington and Hastings to the Red Wing Waste Campus for processing.

The MPCA appreciates Dakota County's continued leadership and commitment to implementing comprehensive and effective solid waste management programs. We commend Dakota County's plan to examine strategies to ensure long term revenue sources and sustainable funding. MPCA Staff admired the County's hard work throughout the planning process and would like to request an opportunity to speak to the County Board at an upcoming meeting to express our appreciation.

Sincerely,

David J. Benke

David J. Benke
Division Director
Resource Management & Assistance Division

Enclosure

cc: Nicole (Nikki) Stewart, Dakota County
Kirk Koudelka, MPCA
Timothy Farnan, MPCA
Jeannie Given, MPCA

STATE OF MINNESOTA
Minnesota Pollution Control Agency

**In the Matter of the Approval of the
Dakota County Solid Waste Management Plan**

**FINDINGS OF FACT,
CONCLUSIONS OF LAW, AND
ORDER**

Dakota County submitted a Solid Waste Management Plan to the Commissioner of the Minnesota Pollution Control Agency for review and approval pursuant to Minn. Stat. § 473.803. After reviewing the Dakota County 2024-2044 Solid Waste Management Plan, the MPCA makes the following Findings of Fact, Conclusion of Law, and Order:

FINDINGS OF FACT

A. AUTHORITY, PROCEDURE, REQUIREMENTS, AND BACKGROUND

1. Minn. Stat. § 115A.42 provides that the Commissioner of the Minnesota Pollution Control Agency (MPCA) establish and administer a program to encourage and improve regional and local solid waste management planning activities and to further the state policies and purposes expressed in Minn. Stat. § 115A.02. The program under sections 115A.42 to 115A.46 is administered by the MPCA pursuant to rules promulgated under chapter 14, except in the metropolitan area where the program is administered by the MPCA pursuant to Minn. Stat. § 473.149.
2. Minn. Stat. § 473.149 requires the MPCA to revise the 20-year Metropolitan Solid Waste Management Policy Plan (MPP) by December 31, 2022, and every sixth year thereafter.
3. Minn. Stat. § 473.803, subd. 1 provides that each metropolitan county, following adoption or revision of the MPP and in accordance with the dates specified therein, and after consultation with all affected local government units, shall prepare and submit to the MPCA for approval, a Metropolitan County Solid Waste Management Plan (MCSWMP) to implement the MPP. The county plan shall be revised and resubmitted at such times as the policy plan may require.
4. Minn. Stat. § 473.803, subd. 2 provides that the MPCA must review each county plan or revision thereof to determine whether it is consistent with the MPP. If it is not consistent, the MPCA shall disapprove and return the MCSWMP with its comments to the county for revision and resubmittal within 90 days for approval.
5. Minn. Stat. § 473.803 and MPP 2022-2042 pages 69-84 (Appendix D), describe the procedure and requirements for the MPCA review and approval of a MCSWMP. The plan must be consistent with and implement the MPP, and include the following information:
 - **General Requirements - Contents**
 - **Land Disposal Abatement**
 - **Oversight**
 - **Designation to Resource Recovery Facility**
 - **Advisory Committee**
6. On January 30, 2024, the MPCA adopted a revised Metropolitan Solid Waste Management Policy Plan 2022-2042 pursuant to Minn. Stat § 473.149.
7. On October 29, 2024, Dakota County submitted its 2024-2044 Solid Waste Management Plan for

MPCA review.

B. DAKOTA COUNTY SOLID WASTE MANAGEMENT PLAN

1. **General Requirements - Contents.** The Dakota County Solid Waste Management Plan satisfies the requirements of Minn. Stat. § 473.803, subd. 1 and MPP 2022-2042 Appendix D. This finding does not constitute a determination of entitlement to any permit that may be required to implement the plan, nor is it intended in any way to supplant the decision-making authority of any other government agency. The Dakota County plan and its appendices address each statutory element as follows:
 - **County solid waste activities, functions, and facilities.** Described in Appendix D.
 - **Existing system of solid waste generation, collection, processing, and disposal.** Detailed in Appendix A.
 - **Mechanisms for recycling and Household Hazardous Waste (HHW) management.** Recycling requirements under Minn. Stat. §§ 115A.551, 115A.552, 115A.557, and HHW management requirements under Minn. Stat. §§ 115A.96, subd. 6 and 473.804 are addressed in Part Two and Appendix A.
 - **Ordinances, licenses, and permit requirements.** Existing and proposed regulations are outlined in Appendix D.
 - **Solid waste facilities and collection services, rates, and usage.** Information on public and private facilities, collection services, rates, and usage are provided in Appendix A.
 - **County-owned or planned solid waste facilities.** Dakota County currently owns no solid waste facilities. In partnership with Scott County, the County plans to construct a household hazardous waste and recycling facility in Dakota County.
2. **Land Disposal Abatement.** The MCSWMP includes a land disposal abatement element to implement the metropolitan land disposal abatement plan adopted under Minn. Stat. § 473.149, subd. 2d.; landfill abatement is best achieved through an integrated solid waste management and sustainable materials management (SMM) approach.
 - a. The MCSWMP helps the county, and its cities reach waste reduction and recycling goals by following all required strategies and must meet or exceed a minimum of 75 points from additional, optional strategies listed in Part Three of the MPP 2022-2042.
 - b. Dakota County will implement local abatement objectives through these strategies:

Strategy #	Dakota County Strategies	Point Value
1	Increase compliance with hauler reporting per Minn. Stat. § 115A.93	Required
2	Provide required county reporting	Required
3	Require waste composition study at least once every 5 years at all landfills that are located within your county	Required
4	Improve recycling data collection at businesses within the county	7
9	Participate in an annual joint commissioner staff meeting on solid waste	Required
10	Commit to standardized outreach and education	Required
11	Engage in efficient and value-added infrastructure planning	Required
12	Develop plans for large facility closures to reduce landfill reliance	Required
13	Provide grants for or access to software that can track food waste	Required
14	Establish partnerships between food rescue organizations and restaurants/stores to increase food rescue	Required
15	Launch bi-annual sustainable consumption challenges for residents	Required
16	Implement a formal county sustainable purchasing policy using MPCA guidance	Required
17	Participate in Responsible Public Purchasing Council meetings	Required
18	Work with health inspectors to educate restaurants and other establishments that have excess prepared food to donate	7
19	Offer grants or rebates for organizations to transition to reusable food and beverage service ware	Required
20	Offer grants for waste reduction, reuse, and repair	Required
21	Implement a green meeting policy	Required
24	Join and/or actively participate in a reuse network to provide county and city staff with learning opportunities to broaden their reuse expertise	6
25	Establish a Repair Ambassador program, like the Recycler/Composters (RCAs) Ambassador programs	7
26	Establish a reuse location for residential drop-off and pick-up	7
30	Collect recyclables, organics, and trash on the same day	Required
31	Collect recycling weekly by 2030	7
35	Recruit a minimum of 12 commercial businesses a year to recycle at least three materials and promote the environmental and resource benefits	Required
36	Establish mandatory pre-processing of waste at resource recovery facilities and landfills by 2030	Required
37	Provide assistance to multi-family properties to improve recycling (4 or more units with shared walls)	Required
40	Make residential curbside organics collection available in cities with a population greater than 5,000 by 2030	Required
41	Expand backyard composting outreach and resource for residents	Required
42	Require management of organics from large commercial food generators by 2033	Required
43	Establish additional organics recycling drop-off sites	7
45	Develop plans to prevent and manage wood waste in each county and throughout the region	Required
46	Promote existing programs that use EAB-affected wood for furniture, home goods, flooring, and other purposes	Required
47	Composting and mulching operations must continue to be supported	Required
52	Expand composting and mulching capacity beyond existing markets	5
55	Require food-derived compost in county construction and landscaping projects	Required
58	Counties must continue to support the implementation of Minn. Stat. § 473.848 Restriction on Disposal	Required
59	Implement additional fees to better account for the externalities of land disposal	4
60	Participate with the Product Stewardship Committee under the Solid Waste Administrators Association (SWAA)	Required
61	Encourage retailers to increase consumer awareness of responsible end-of-life handling for products containing lithium-ion batteries	Required
62	Continue participation in the reciprocal use agreement for HHW collection sites	Required
63	Partner with cities to increase participation in HHW collection	Required
64	Host monthly drop-off sites in locations (alternative given for a permanent HHW site)	9
65	Implement the use of a Building Material Management Plan	Required
67	Host a building material collection event or swap	8
69	Provide deconstruction training	8
Total Points:		82

c. The MCSWMP also includes:

- **Quantifiable landfill abatement objectives** based on metropolitan plan targets, stated in six-year increments over at least 20 years from the latest MPP revision (*Part Two*).
- **Measurable performance standards** for resource recovery, waste reduction, and separation programs for the county and cities of the first, second, and third class (*Table 1, p. 12*).
- **Accountability for all stakeholders** — Dakota County, municipalities, waste generators, and system operators — in meeting these objectives.
- **Annual review procedures** to determine whether cities have implemented the plan and met performance standards, per Minn. Stat. § 473.803, subd. 3, and reporting requirements pursuant to Minn. Stat. §§ 473.8441 and 473.848 (*Appendix D*).

d. The above land disposal abatement criteria included in the MCSWMP are consistent with the MPP.

3. **Designation to a Resource Recovery Facility.** The MCSWMP does not propose designation of a resource recovery facility pursuant to Minn. Stat. § 473.811, subd. 10.

4. **Advisory Committee.** The MCSWMP was prepared with the aid of the Dakota County Board, which performed the duties of a solid waste management advisory committee. Dakota County also performed an extensive public engagement process to aid in the selection of strategies and collect data on solid waste management issues, barriers, and solutions; more than 1,300 stakeholders provided input. Stakeholder input was used to further refine potential strategies and their implementation. Findings were published on the county's website and shared with stakeholders and the County Board.
5. **Oversight.** A variety of private waste management facilities located in Dakota County play a significant role in managing waste for the region. Pursuant to Minn. Stat. § 473.803, subd. 5, Dakota County provides oversight over private sector entities whom the county relies upon in part to implement aspects of the plan including two recycling facilities, an aluminum recycling facility, a lead and plastic recycling facility, a food waste composting facility, a food processing facility, six non-MSW landfills, and two MSW landfills. The tools Dakota County uses to hold the private sector, municipalities, and program partners accountable include regulation, monitoring and reporting, and contracts/agreements.

CONCLUSIONS OF LAW

1. MPCA has the authority under Minn. Stat. § 473.803, subd. 1 and 2, to review and to approve the Dakota County Solid Waste Management Plan.
2. Dakota County's Solid Waste Management Plan meets the requirements of Minn. Stat. §§ 473.149; 473.803; 473.804; 473.811; 473.8441; 473.848; 115A.02; 115A.551; 115A.552; 115A.557 subd. 2-3; 115A.96 subd. 6, and is consistent with the revised Metropolitan Solid Waste Management Policy Plan.
3. Dakota County's Solid Waste County Solid Waste Management Plan is consistent with and implements the Metropolitan Solid Waste Management Policy Plan, 2022-2042, as required under Minn. Stat. § 473.803, subd. 1.
4. Any findings that might properly be termed conclusions and any conclusions that might properly be termed findings are hereby adopted as such.

ORDER

NOW THEREFORE, pursuant to the authority vested in me by Minn. Stat. §§ 115A.42, 473.149 and 473.803, the Dakota County Solid Waste Management Plan is APPROVED.

IT IS SO ORDERED

August 22, 2025

David J. Benke

This document has been electronically signed.

David J. Benke, Director
Resource Management and Assistance Division
Minnesota Pollution Control Agency