



Dakota County

Legislation Text

File #: DC-1577, Version: 2

DEPARTMENT: Environmental Resources

FILE TYPE: Consent Action

TITLE

Authorization To Execute Agreement With Minnesota Pollution Control Agency For Household Hazardous Waste Program And Execute Agreement With PaintCare Inc.

RESOLUTION

WHEREAS, the Dakota County Board of Commissioners wishes to participate in the statewide household hazardous waste (HHW) program to further the goals of protecting public health and the environment; and

WHEREAS, Minn. Stat. § 115A.96 allows Metropolitan HHW programs to be administered by a public entity through an agreement with the Minnesota Pollution Control Agency (MPCA); and

WHEREAS, Minn. Stat. § 115A.1415 requires paint producers to implement a product stewardship program for architectural paint in Minnesota; and

WHEREAS, paint producers created PaintCare Inc., a non-profit organization, to administer and implement paint product stewardship programs across the country; and

WHEREAS, PaintCare Inc.'s product stewardship program went into effect in Minnesota on November 1, 2014, with a per-can fee on architectural paint sold; and

WHEREAS, funds collected by PaintCare Inc. are used to reimburse counties for costs associated with managing and the transportation of architectural paint collected at The Recycling Zone, at events, and for paint taken by the public for reuse; and

WHEREAS, staff recommends execution of an Agreement with the MPCA for HHW Program operations; and

WHEREAS, to participate in the product stewardship program, Minnesota counties must enter into an Agreement with PaintCare Inc. that addresses indemnification rights and obligations, insurance coverage, spill reporting, and the right for PaintCare to inspect county HHW facilities and records related to paint reimbursement.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Environmental Resources Department Director to execute an agreement between Dakota County and the Minnesota Pollution Control Agency to operate the Dakota County Household Hazardous Waste Program, as substantially presented to the Physical Development Committee of

the Whole on November 29, 2022, and subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Environmental Resources Department Director to execute an agreement with Dakota County and PaintCare Inc. to address indemnification, insurance coverage, and reimbursement to Dakota County for costs associated with managing and transportation of architectural paint, as substantially presented to the Physical Development Committee of the Whole on November 29, 2022, and subject to approval by the County Attorney's Office as to form.