



YARD WASTE

Yard Waste

1. Current City Service
2. Relevant Laws and Regulations
3. Current Yard Waste Processing
Contract Issues
4. Issuance of RFP

Current City Service

- City and MRI crews collect Yard Waste from all city customers from mid-April through mid-November.
- Service included in base solid waste fee.
- Yard Waste is delivered to contractor for processing and disposal.

Minnesota Statute – Pertinent Sections

Yard Waste may not be disposed of with garbage

115A.931 YARD WASTE PROHIBITION.

(a) Except as authorized by the agency, in the metropolitan area after January 1, 1990, and outside the metropolitan area after January 1, 1992, a person may not place yard waste:

- (1) in mixed municipal solid waste;
- (2) in a disposal facility; or
- (3) in a resource recovery facility except for the purposes of reuse, composting, or co-composting.

Minnesota Statute – Pertinent Sections

Yard waste may not be placed in non-compostable plastic bags after January 1, 2013

115A.931

- (c) On or after January 1, 2010, a person may not place yard waste or source-separated compostable materials generated in a metropolitan county in a plastic bag delivered to a transfer station or compost facility unless the bag meets all the specifications in ASTM Standard Specification for Compostable Plastics (D6400). For purposes of this paragraph, "metropolitan county" has the meaning given in section 473.121, subdivision 4, and "ASTM" has the meaning given in section 296A.01, subdivision 6.
- (d) A person who immediately empties a plastic bag containing yard waste or source-separated compostable materials delivered to a transfer station or compost facility and removes the plastic bag from the transfer station or compost facility is exempt from paragraph (c).
- (e) Residents of a city of the first class that currently contracts for the collection of yard waste are exempt from paragraph (c) until January 1, 2013, if, by that date, the city implements a citywide source-separated compostable materials collection program using durable carts.

Emerald Ash Borer (EAB) Quarantine

- Quarantine put in place August 17, 2009, by the Minnesota Department of Agriculture.
- All material that may contain ash trees must be ground to less than 1” in size before being moved out of Hennepin and Ramsey Counties.
- Regulated by Department of Agriculture.



Photo Source: emeraldashborer.info

Current Yard Waste Contract

- RW Farms, LLC and Organic Technologies, Inc. (OTI).
- Multi-year contract starting in March 2009.
- Transfer/processing site is located at the Upper Harbor River Terminal.
- OTI has an agreement with CPED and River Harbor Services to operate at this site.
- RW Farms, LLC filed for bankruptcy approximately one year ago. Litigation is ongoing.
- OTI is currently handling all city yard waste.

Current Yard Waste Contract Issues

- Problems with keeping material moving off site.
- Plastic bags make grinding difficult.
- Stop Work Order issued by Dept. of Agriculture on October 20, 2011 due to Emerald Ash Borer quarantine. Settlement Agreement signed on January 5, 2012.



Current Yard Waste Contract Issues

- Material not moved quickly after processing causes odor issues and has resulted in many complaints from neighbors.
- Five citations issued from Regulatory Services, three for odor and two for erosion control. Odor citation fines were progressive.



Staff Recommendation

- Issue a new RFP for yard waste processing and disposal and street sweeping disposal. For yard waste:
 - Tighter performance standards
 - Prohibition of non-compostable plastic bags beginning in 2012
 - Transfer/processing site considerations

Next Steps

- Decision about new contract and future of contract with OTI to be made In March 2012