

September 17, 2025

Sasha Bergman
Executive Secretary
Minnesota Public Utilities Commission
121 Seventh Place East, Suite 350
St. Paul, MN 55101

Re: PUC Docket Number: 24-352

Dear Ms. Bergman,

The Minnesota Environmental Justice Table and the Zero Burn Coalition (“Commenters”) respectfully submit these comments urging the Commission to exclude municipal solid waste incineration (MSWI) categorically from being considered carbon-free pursuant to Minnesota Statute § 216B.1691. Organizational members of the Zero Burn Coalition endorse these comments and are listed below.

A. Incineration of Municipal Solid Waste Is Not Carbon-Free

As the Environmental Justice Table indicated in comments submitted jointly with CURE on July 24, 2024 in Docket 23-151, burning trash to produce electricity is not carbon-free. The Minnesota legislature defined “carbon-free” as “a technology that generates electricity without emitting carbon dioxide.” MSWI emits greenhouse gasses (GHGs), which includes carbon dioxide (CO₂), at the point of generation, and therefore cannot qualify as carbon-free.

B. Carbon Capture at Municipal Waste Incinerators Is Not Currently Feasible in the United States

The only theoretical way to significantly reduce or eliminate the amount of carbon dioxide emitted by municipal solid waste incineration is through carbon capture and storage. Currently, there are no carbon capture facilities operating at municipal waste combustors in the United States.

C. The PUC Should Reject the Use of Any Comparative Analyses to Determine if MSWI Can Be Considered Carbon Free

Any sort of comparative analysis or lifecycle analysis will be difficult to administer, especially in the case of MSWI. For example, comparing burning trash in Minneapolis at the HERC with landfilling that waste at one of the region’s landfills would require a complex, data-intensive modeling exercise that would have to be repeated and altered year by year based on changed data and state and local policies. In addition, such a comparison would have to model an

unknown counterfactual: namely what increase in funding and capacity would be dedicated to composting infrastructure when the HERC is shuttered.

Finally, the results of these inexact analyses would not change the incontrovertible fact that burning trash produces large amounts of carbon dioxide.

E. Incentivizing MWSI Undermines Minnesota's Waste Management Goals

Designating MWSI as "carbon-free" would create a new financial subsidy for garbage incineration because of the attributable resellable carbon credits incinerators would receive. This undermines Minn. Stat. § 115A.02(b) which directs Minnesota to prioritize waste reduction and reuse, recycling, and composting over incineration and landfilling. It is counterproductive to subsidize something we want to do less of.

F. MSWI Is Not Consistent with the Requirements of Minn. Stat. § 216B.1691 subd. 9

Minn. Stat. § 216B.1691 subd. 9 states that the Commission shall take all reasonable actions within its authority to implement the Carbon-Free Standard in a way that "maximizes net benefits to all Minnesota citizens," including "ensuring that statewide air emissions are reduced, particularly in environmental justice areas." MWSI generates harmful air emissions such as sulfur dioxide, particulate matter, and lead, which cause cardiovascular and respiratory diseases, developmental problems, and deaths. The HERC incinerator, Minnesota's most well-studied garbage incinerator, has been estimated to contribute to 1-3 local deaths per year and \$11-24 million in health impacts annually.

In Minnesota and nationwide, these garbage burning facilities are overwhelmingly located in environmental justice areas. Our communities deserve energy that doesn't kill us. MSWI is incompatible with the Commission's responsibility to implement the Carbon-Free Standard in a way that reduces, rather than increases, dangerous air emissions.

Conclusion

In sum, the Commenters believe that incineration of municipal solid waste is not a carbon-free energy source and should be excluded from the definition. We thank the Commission for its thorough consideration of this issue.

Signatories:

Minnesota Zero Burn Coalition, facilitated by the Minnesota Environmental Justice Table

From: [Isuru Herath](#)
To: [Staff, CAO \(PUC\)](#)
Cc: [Nazir Khan](#)
Subject: Zero Burn Coalition Comment on Docket Number 24-352
Date: Wednesday, September 17, 2025 12:27:55 AM
Attachments: [Letter from Zero Burn Coalition and the MN EJ Table to the Public Utilities Commission.pdf](#)

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Dear Minnesota Public Utilities Commission,

Please find attached the comment regarding Docket Number 24-352 from the Zero Burn Coalition. I request that this objection be entered into the public record for consideration.

Thank you for your attention. Please confirm receipt of this filing.

Isuru Herath