



2023 Legislative priorities

Compostable product labeling

Expand 325.046 labeling requirements for compostable plastic bags to cover all food-service items and packaging. Adoption of this bill will reduce confusion of retailers, restaurants and residents on which products are compostable. This will also reduce contamination and operational costs of composting facilities and increase marketability of the finished product.

Defining compost

A definition of finished compost and the process of composting is needed in Minnesota statutes. Defining compost, and what is required to produce or sell products utilizing the term compost, will create consistency among State agencies (MPCA, MnDOT, MDA, DNR, etc.), local units of government and all compost users, and level the playing field for those manufacturing compost and those looking to use compost for various applications. The current lack of consistency among State organizations and private industry is leading to the sale of an inferior product that in some instances is having detrimental effects on projects and turning away customers from using properly manufactured compost.

Extended producer responsibility for packaging & printed paper

The MNCC supports EPR legislation for Packaging & Printed Paper, holding manufacturers accountable for the packaging they create. EPR product fees should increase use of reusable, recyclable and compostable materials and improve capture rates of recyclable and compostable materials. Compostable product manufacturers, composters and composting programs should be given equal weighting and consideration to their reusable and recyclable counterparts.

Program funding: SCORE

MNCC supports allocating 100% of SCORE funding for its intended purpose to support waste reduction and diversion programs. SCORE funding given to Counties, who are responsible for meeting the State diversion goals, has been siphoned away from its intended purpose to the State's General Fund, while new diversion programs and educational needs continue to increase to meet the State's diversion goals.

Market development

The MNCC supports funding Market Development activities statewide. Organics (food scraps and other compostable materials) make up over a third of municipal solid waste. Therefore, at least one third of market development funding should be allocated towards expanding programs to divert organics from the trash and increasing markets for finished compost.

Education

State statutes 115a.552 and 115a.072 should be amended to reflect increased educational needs and funding should be allocated for the MPCA and counties to meet the requirements identified in the statutes. Consistent and ongoing education is necessary for organics recycling programs to succeed.



2023 Legislative Priorities

Compost use in public projects

Political subdivisions, educational institutions, and other public agencies should be required to procure compost as part of their soil amendment purchases unless the project engineer determines that the compost material does not meet the specifications required by the project.

Yard waste: extending metro law statewide

Extend 115A.931 requirements statewide so that when a bag is needed for yard waste collection, the bag used is a kraft paper bag or a compostable bag in accordance with ASTM D6400 or D6868, or that the material be debagged at a transfer site. The ban of conventional oil-based plastic bags in the Metro area has helped reduce contamination at composting facilities resulting in decreased operational costs and increased marketability of the finished compost.

2023 Policy Positions

PFAS ban, declaration and research

MNCC supports banning the sale, distribution, or use of Per and Polyfluoroalkyl Substances (PFAS) chemicals in all non-essential applications. Manufacturers should also be required to declare and properly label products that contain PFAS chemicals. MNCC supports continued analysis of PFAS in our environment and funding from the State for monitoring and evaluating on-site treatment methods. MNCC also supports the development of a scientifically based and targeted response plan, jointly developed by the MPCA and PFAS receivers, that targets methods that cost-effectively protect human health and the environment.

Food scrap diversion requirements: Residential and commercial

MNCC supports the continued expansion of organics management programs in both the residential and commercial sectors across the state of Minnesota. Because food scraps make up more than one third of collected trash, it is necessary for local governments and the State to meet waste reduction, recycling, composting and climate goals. Two different laws that should be amended include:

1. Amend 115A.552: Opportunity to recycle
 - Cities who are required to offer curbside recycling (Cities of the first and second class and cities with 5,000 or more population in the metropolitan area) should be required to have at least every other week collection of food scraps and other compostable materials.
 - All cities with a population of 10,000 or more persons by 2030, and population greater than 5,000 by 2035 should be required to have at least every other week collection of food scraps and other compostable from a centralized drop-off in cities.
2. Amend 151A.151: Large generators who are required to have recycling should be required to divert food scraps from disposal.

The State and counties should leverage all opportunities to incentivize communities and businesses to start or expand organics management programs.



2023 Policy Positions

Infrastructure expansion

MNCC supports collaboration among permitting agencies to streamline the permitting process for composting and other SSO management facilities. Waste, water, and air permitting staff should agree upon siting and design requirements in a short timeframe to not delay the opening of new sites. They also should be working in collaboration with new facilities / technologies (ex. biochar and AD) to make sure they are designed to protect human health and the environment without being overly burdensome or cost prohibitive. Funding (grant and bonds) opportunities for both public and private sector organizations are necessary to expand capacity to divert organic materials from the trash throughout the state.

Local control

The MNCC opposes any legislation which would restrict or impair a local unit of government's ability to adopt policies that improve local waste management practices. This includes but is not limited to organizing collection or enacting product sale, use or disposal bans.

Healthy soils & resiliency

Improving soil quality is essential to long-term viability for the planet to sustain life. The MNCC supports the adoption of policies and programs that improve soil quality and grants to study the impact of increasing the organic content of soil with compost and other amendments like biochar. It is important to understand these impacts on carbon sequestration, water retention and resiliency.

Managing woody materials

With an increasing amount of woody materials due to Emerald Ash Borer, State agencies and local units of government need to appropriately measure and track the management of the amount of woody waste material in the State. Without understanding where wood waste is being stored, and how much there is, and how it's managed there is a risk of continued spread of invasive species. The MNCC does not support marketing wood waste as compost or as any other type of soil amendment unless it meets the US Composting Council's definition of compost. This will prevent the sale of degraded wood as compost, a practice which is currently happening in the State.

Biochar

The use of biochar is the only carbon negative tool readily available to help soils sequester carbon. Biochar is a beneficial use option for excess wood in the State. The MNCC supports the local production of biochar and its use throughout the state. When mixed with compost, biochar provides benefits of added water holding capacity, nutrient retention, and providing optimal microbiological habitat to the compost, increasing benefits to the soil and plants while also sequestering carbon from the atmosphere.



2023 Policy Positions

Noxious weed management

MNCC encourages MPCA, MDA, and DNR to collaborate on best practices for disposal of noxious weeds and invasive species. Wherever and whenever possible, noxious weeds and invasive species that can be properly destroyed by higher temperatures should be managed by composting in a facility that tracks temperatures to ensure the process to further reduce pathogens (PRFP) is met. This will require State agencies to track which composters are following PRFP procedures or modify the current rules for yard waste compost sites requiring them to meet PRFP. It will not require amendments to the State's yard waste disposal ban or variances from the ban to be granted. The MNCC supports management at the point of generation and/or disposal of invasives that cannot be properly

Collection program implementation

Communities in which all residents pay for the program have higher program participation rates. The highest performing programs are those in which all residents pay for the program and residents opt-in to participate. This reduces financial barriers to participation, helps keep contamination low and meets State Statute 115A.93 in which haulers are prohibited from imposing a greater fee on residents who recycle than those who do not recycle.

Waste management hierarchy

The MNCC supports all management levels of the State's Waste Management Hierarchy. Food scraps and compostable materials should be managed to their highest and best use. Furthermore, to create the highest quality compost possible, source-separated organics (which includes source separated organics co-collected with MSW) should be prioritized over using people or machines to remove organics from mixed municipal solid waste.

Defining Anaerobic Digestion (AD) in Statute

MNCC acknowledges and supports AD as a component of the state's integrated waste management system as a means to recover energy from organic waste streams. It is important for the State to define AD, digestate, and state when AD systems qualify as recycling. To fall before composting on the waste management hierarchy, AD systems must have both gas capture and create a usable beneficial digestate product. Other pre-processing activities, including dehydrators and infra-red dryers, should not be considered AD.

Natural organics reduction (human composting)

As natural burials are becoming more popular, State rules and regulations should be reviewed and amended to allow for natural organic reduction. Composting human remains requires less energy, uses less toxic materials, and reduces natural resources needed to bury humans after they have passed. Natural organics reduction is now permitted in six states (WA, CO, OR, VT, CA and NY).

The Minnesota Composting Council is a 501c, 3 dedicated to the development, expansion and promotion of the composting industry based upon sound science, principles of sustainability and economic viability.

mncompostingcouncil.org