2026 Legislative Platform

Maintaining integrity of Packaging and Printed Paper EPR Law

The MNCC supports maintaining the integrity of the 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. MNCC supports the addition of utensils, straws as covered materials and not allowing exemptions for paper products.

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.

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 using the term compost, will create consistency among State agencies (MPCA, MnDOT, MDA, DNR, etc.), local units of government and all compost users. This will also level the playing field for compost manufacturers users. The current lack of consistency among State agencies and private industry is leading to the sale of inferior products are in some instances is having detrimental effects on projects and dissuading customers from using properly manufactured compost. For example, unstable 'compost' can result in seeds or plants not growing properly leading to increased project costs and delayed project completion. These issues have been recognized around the country as a concern and have been addressed by the USCC and AAFPCO combining to create an "official definition". Compost Definition

Require yard waste composting facilities to meet PRFP

All composting facilities should be required to meet the Process to Further Reduce Pathogens (PRFP) to protect our environment and support the integrity of the composting industry. The MPCA, MDA and DNR agree that bacteria and invasive species are best managed on-site whenever possible. If on-site management is not possible, plant material should be brought to a compost facility that meets the PRFP. PRFP ensures the composting piles are hot enough for long enough to kill any bad bacteria like e-coli and salmonella, weed seeds, and invasive pests like jumping worm cocoons and emerald ash borer larvae. It includes a 1) mesophilic (moderate-temperature) phase, 2) thermophilic (high-temperature) phase, and 3) a cooling and maturation phase.

Currently only municipal solid waste and source-separated organics composting facilities are required to meet PRFP. There are 8 such permitted facilities in Minnesota. None of the approximately 120 yard waste (permit by rule) compost facilities are required to track and record that PRFP has been met in

their operations. Without verification of meeting PRFP, these yard waste sites could be aiding in the spread of invasive species, which State laws prohibit the movement or spread of certain noxious weeds and invasive species. Additionally, residents and customers may be using or purchasing a material that is marketed as 'compost' that has not undergone the appropriate process to be classified as compost. The use of/sale of immature compost is harming and preventing the expansion of the composting industry.

The MNCC is willing to partner with various State agencies, County, City, and township government entities to develop and implement a training and certification program to ensure that all compost facilities (yard waste, MSW and source-separated organics (SSO) composters) are following best management practices that protect the environment, reduce the spread of invasives, and standardize when a product can be marketed as compost.

Market Development

The MNCC believes that market development activities statewide are needed to ensure the success of the composting industry. 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 allocated for the MPCA and counties to meet the requirements identified in the statutes. Consistent and ongoing education is essential for both traditional recycling and organics recycling programs to succeed. Additionally, counties need to support cities technically and financially in meeting the requirements of these laws.

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 bagging requirement law statewide

Extend 115A.931 requirements statewide so that when a bag is needed for a yard waste collection or drop-off program, 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. The ban of conventional oil-based plastic bags in the Metro area has been very successful in reducing contamination at composting facilities resulting in decreased operational costs and increased marketability of the finished compost.

2026 Legislative Priorities

Per- and Polyfluoroalkyl Substances (FAS) research

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 passive receivers of PFAS, that targets methods that cost-effectively protect human health and the environment. The MNCC encourages the State to evaluate exemptions for passive receivers of PFAS and focus efforts on implementation of the ban of added PFAS as required by various State Statutes.

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. These programs are necessary to meet State recycling goals, as food scraps make up more than one-third of residential garbage in Minnesota.

- The 2022 - 2042 MPCA Metropolitan Policy Plan requires all cities with populations greater than 5,000 to develop organics recycling programs by 2030. Cities in Greater Minnesota with a population over 10,000 should be required to implement organics drop-off or curb/alley collection programs with collection at least every-other-week collection by 2035.
- The MNCC supports amendments to 151A.151 to require large generators (who are required to have recycling) to also divert food scraps from disposal based on the food scale adopted during the 2024 legislative session.

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

Infrastructure expansion

MNCC supports collaboration among permitting agencies to streamline the permitting process for composting and other source-separated organics (SSO) management facilities. Waste, water, and air permitting staff need to agree on siting and design requirements in a short timeframe to not delay the opening of new sites. They also need to be working in collaboration with new facilities / technologies (ex. biochar and anaerobic digestion [AD]) to make sure they are designed to protect human health and the environment without being overly burdensome or cost-prohibitive. Funding (grants 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 that 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 and resiliency

The MNCC supports the adoption of policies, programs and grants, including research projects, to improve soil health and resiliency. Improving soil quality is essential to long-term viability for the planet to sustain life.

Managing woody materials

MNCC supports practices and industries that manage wood waste, both with current and emerging technologies. With an increasing amount of woody materials due to increasing invasive pests (e.g. Emerald Ash Borer) and increased severe weather events, State agencies and local units of government need to appropriately measure and track the management of woody waste material. Without understanding where wood waste is stored, 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 a carbon negative tool 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. Used together, biochar and compost increase benefits to the soil and plants while also sequestering carbon from the atmosphere.

Collection program implementation

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. Currently, this is only enforced in Hennepin County who requires all cities to have an organics recycling program. For composters to produce high-quality compost, MNCC supports this best practice for successful implementation of residential organics programs.

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.