

## State Authority to Promote Recycling

Recycling solid waste is near the top of the state's waste management hierarchy, second only to waste reduction and reuse, and ahead of composting, energy recovery through incineration, and land disposal. ([Minn. Stat. § 115A.02](#)) The hierarchy expresses policy preferences contained in the state's Waste Management Act rather than serving as an enforceable list of priorities; it indicates the significant position of recycling as a strategy to address solid waste problems.

State authority with respect to recycling falls within several categories. The Minnesota Pollution Control Agency (MPCA) is the executive branch agency responsible for implementing recycling and solid waste policies. Counties and cities conduct most recycling activities. State authority over recycling includes the following.

***Setting recycling goals for counties and state agencies***

The legislature sets goals for counties regarding the proportion of solid waste generated that must be recycled. The current goal for 2030 is 75 percent for counties in the metropolitan area and 35 percent for other counties. ([Minn. Stat. § 115A.551](#))

The legislature sets recycling goals for state agencies and itself. The current requirement is 60 percent, with a 2030 goal of 75 percent. ([Minn. Stat. § 115A.15](#))

***Requiring counties to offer recycling programs***

Counties must develop and implement recycling programs to reach state recycling goals and must submit program strategies and budgets to MPCA for approval. ([Minn. Stat. § 115A.551](#))

Counties must ensure that all residents have an opportunity to recycle, via curbside pickup, centralized drop-off sites, or a local recycling center. ([Minn. Stat. § 115A.552](#))

***Requiring counties or manufacturers to recycle certain problem materials***

Counties must recycle major appliances. ([Minn. Stat. § 115A.9561](#))

Producers of architectural paint, computer equipment, and mercury-containing thermometers must design, finance, and operate statewide programs to collect and recycle these materials. ([Minn. Stat. §§ 115A.1310 et. seq.](#); [115A.1415](#); and [116.92](#))

***Requiring certain businesses to recycle***

Beginning in 2015, collegiate and professional sports facilities must collect and recycle at least three recyclable materials. ([Minn. Stat. § 115A.551](#))

Beginning in 2016, commercial businesses located in the metropolitan area that generate four cubic yards or more of solid waste weekly must collect and recycle at least three recyclable materials. ([Minn. Stat. § 115A.551](#))

***Providing financial assistance to counties to operate recycling programs***

Under the Select Committee on Recycling and the Environment (SCORE) program, the MPCA distributes approximately \$17.25 million annually from revenues from the tax on solid waste services to counties for recycling programs. ([Minn. Stat. § 115A.557](#))

Recycling projects may receive grants for up to 50 percent of the capital cost of the project, up to \$2 million. ([Minn. Stat. § 115A.54](#))

The MPCA may award 50 percent matching grants to metropolitan counties for planning, developing, and operating recycling programs. ([Minn. Stat. § 473.8441](#))

***Prohibiting recycled materials from other methods of disposal***

Recyclable materials may not be placed in a landfill or incinerated unless the commissioner has determined that no person will accept the materials. ([Minn. Stat. § 115A.95](#))

Waste generated in the metropolitan area from which recyclables have not been removed may not be disposed of unless the waste is certified to be unprocessable. ([Minn. Stat. § 473.848](#))

***Encouraging the development of markets for recycled materials***

The MPCA assists the development of reliable markets for recycled materials by developing state policies favoring the procurement of products containing recycled materials and sharing that expertise with local units of government, educational institutions, and other public agencies. ([Minn. Stat. §§ 115A.15](#) and [115A.48](#))

**For more information:** Contact legislative analyst Bob Eleff at 651-296-8961.

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