



Commercial recycling requirement

Frequently asked questions

1. What is the purpose of this requirement?

Approximately 75% of the things Minnesotans throw in the trash could be recycled:

- 34% is paper, plastic, metal, and glass
- 18% is food waste that could be donated to people, fed to animals, or composted
- 23% is compostable paper, yard waste, and other organic materials that could be composted

The commercial recycling requirement is an opportunity for businesses to decrease their waste, reduce their tax liability by increasing recycling, and support Minnesota's recycling industry which creates approximately 37,000 direct and indirect jobs in the state. Increased commercial recycling, including organics diversion, is an essential component of meeting state recycling goals.¹

2. Who is responsible for compliance with the requirement?

The [law](#) states that the “owner of a commercial building shall ensure that facilities under its control” are collecting at least three materials for recycling. Recycling is required when:

- at least one occupant of the building falls under [North American Industrial Classification System \(NAICS\) codes 42 through 81](#), and
- the total trash generated by the building is four cubic yards or more per week

Even if tenants contract for their own trash hauling services, the building owner is responsible for ensuring compliance with the recycling law. It may be prudent to require compliance through the terms of the lease.

3. Is each business in a multi-tenant building required to have recycling?

The legislative intent of the law is to maximize recycling. This can be accomplished in commercial buildings in a number of ways, depending on space considerations and the nature of the recyclable materials generated. For example, some buildings may have recycling collection at each business, while others may opt for centralized collection in trash rooms or a dock space.

Recognizing that tenants may produce significantly different recyclable materials, the opportunities provided by a building owner should be flexible enough to accommodate the needs of all tenants. Tenants are encouraged to work with their building owner to establish effective recycling opportunities, and to seek external recycling options for unique materials requiring specialized collection, such as textiles.

4. Are buildings required to provide recycling collection directly to customers (i.e. in space accessible to customers such as lobbies, walkways, restrooms, etc.)?

Businesses that provide a trash disposal opportunity for their customers should also provide a recycling opportunity for the recyclable materials generated onsite (e.g. plastic recycling for soda bottles at a food court). Recycling programs are most successful and maximize the amount of material recycled when trash and recycling collection containers are co-located and have clear signage.

¹ Goals set through the [Metropolitan Solid Waste Management Policy Plan](#), County Master Plans, and [state law calling for a metro recycling goal of 75% by 2030](#).

5. Are multifamily residential buildings such as apartments and condos included? What other businesses are included?

Yes, multifamily housing is included under [NAICS code 53](#).

The law applies to businesses in the “Service-Providing Industries” group, but does not include businesses in the “Goods-Producing Industries” group.

Examples of businesses that fall under the law include:

- retail and rental stores
- grocery stores
- legal and financial institutions
- gas stations
- wholesalers
- healthcare providers
- transportation providers (airlines, railroads, etc.)
- media and publishing firms
- professional services firms
- post offices
- educational institutions
- entertainment and sports venues
- hotels, restaurants, and bars
- religious establishments
- nonprofits

A complete list of NAICS sectors can be found [online](#).

6. Can I save money by increasing my building’s recycling?

By increasing your recycling, you may be able to reduce the container size or frequency of your trash collection. In Minnesota, there is a 17% state solid waste management tax charged on all commercial trash bills, but there is no tax on recyclables, including organics. In addition, many counties also charge taxes or fees on trash, some as high as 53%. By targeting high volume recyclable materials within your building, you can maximize the potential savings. Contact your hauler to discuss “right-sizing” your service and see what you might save on your monthly bill.

7. What if my building is not in compliance by the effective date?

The Minnesota Pollution Control Agency (MPCA) recognizes that it is likely not all commercial buildings that meet the recycling requirement will be in compliance by the effective date. Enforcement of the law will be a part of this process but MPCA’s strategy puts emphasis first on awareness, education, outreach, and assistance. Many cities and counties also provide assistance to commercial entities for setting up effective recycling programs and purchasing recycling containers.

8. What is the MPCA’s plan for informing impacted parties of the new statute?

The MPCA is working with stakeholders including counties, cities, haulers, businesses, building owners, etc., to develop a comprehensive and consistent approach for outreach, education, and assistance. The MPCA is also working to aggregate resources that will be of use to businesses in need of establishing new programs, as well as those who wish to expand existing programs. Additional MPCA Guidance specific to the statute will be available to businesses as it is developed. More information can be found [online](#).