



## Packaging Waste and Cost Reduction Act

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December 2025 & January 2026

# Outcomes

- ✓ Require packaging and paper products to be reusable, recyclable, or compostable by 2032.
- ✓ Reduce customer's cost of recycling by at least 90%.
- ✓ Incentivize sustainable packaging.
- ✓ Expand options for refill and reuse.
- ✓ Expand recycling service access and convenience.
- ✓ Simplify and standardize recycling across the state by establishing a universal recycling list.

# What materials are covered?

## Covered materials include:



**Packaging** – *materials to transport, market, protect, or handle a product*



**Food packaging** – *materials to market, protect, handle, deliver, serve, contain, or store food and beverages*

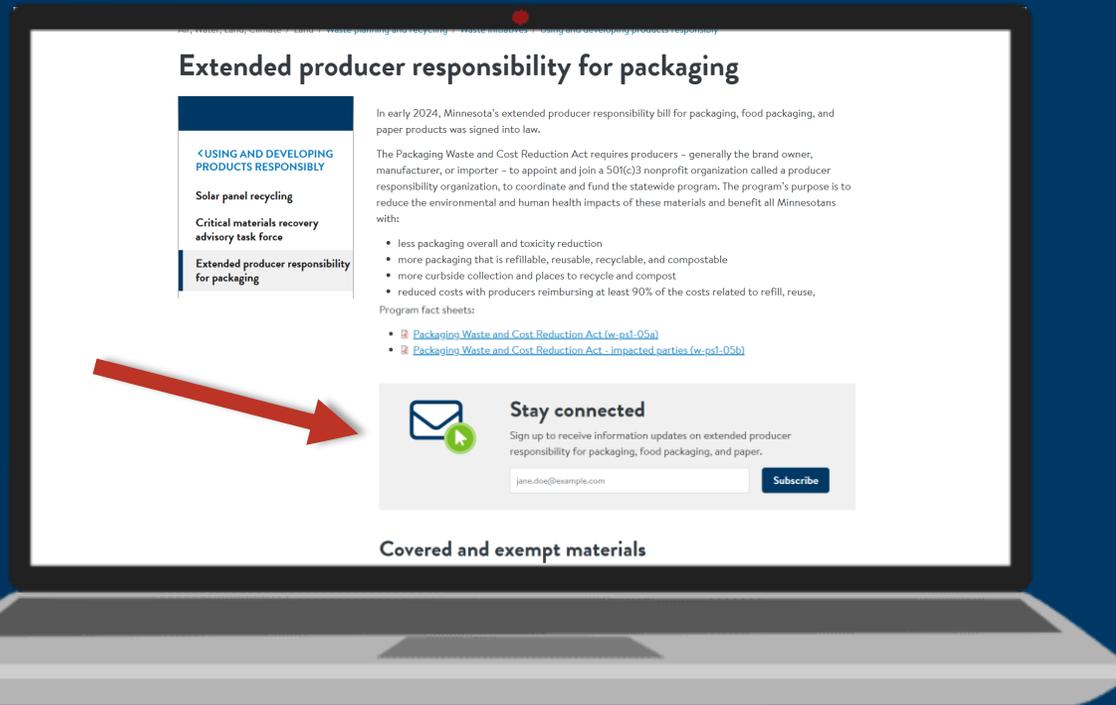


**Paper products** – *excluding bound books or products deemed unsafe or unsanitary to handle by recycling and composting facilities*

## Exempt materials

- Includes a list of specific exemptions primarily focused on packaging related to drug or medical devices, certain hazardous products, and materials managed through another program (e.g., PaintCare). It also includes news and magazine publications of a certain circulation limit.
- Defines a process where the MPCA can approve additional exemptions **if** a specific federal or state health and safety requirement prevents the material from being reduced or made reusable, recyclable, or compostable.

# Program updates



- ✓ 18-member advisory board appointed; meetings scheduled through 2025 and 2026
- ✓ Initial service provider registration is live
- ✓ Producers appointed Circular Action Alliance (CAA) as the packaging producer responsibility organization (PRO) and MPCA confirmed registration
- ✓ CAA is working to support producers in complying with the July 1, 2025 registration deadline
- ✓ MPCA Program lead and data analyst hired
- ✓ Eunomia selected to complete the preliminary assessment (due **December 31, 2025**) and needs assessment (due **December 31, 2026**) to gather data to inform program

**In process:** Preparing to hire additional MPCA team members

# Preliminary Assessment

- Draft preliminary assessment is available for public comment. There are three informational sessions this week:
  - Tuesday, December 16 from 11-noon
  - Tuesday, December 16 from 6-7pm
  - Thursday, December 18 from 2-3pm
- Public comment closes on Monday, December 22
- Final report is anticipated to be published between January 15 and February 2

# Two-phased assessment series



## **Preliminary Assessment:**

- Reviews existing data from reporting and planning documents.
- Establishes a summary of the system for recycling and composting as it is today.

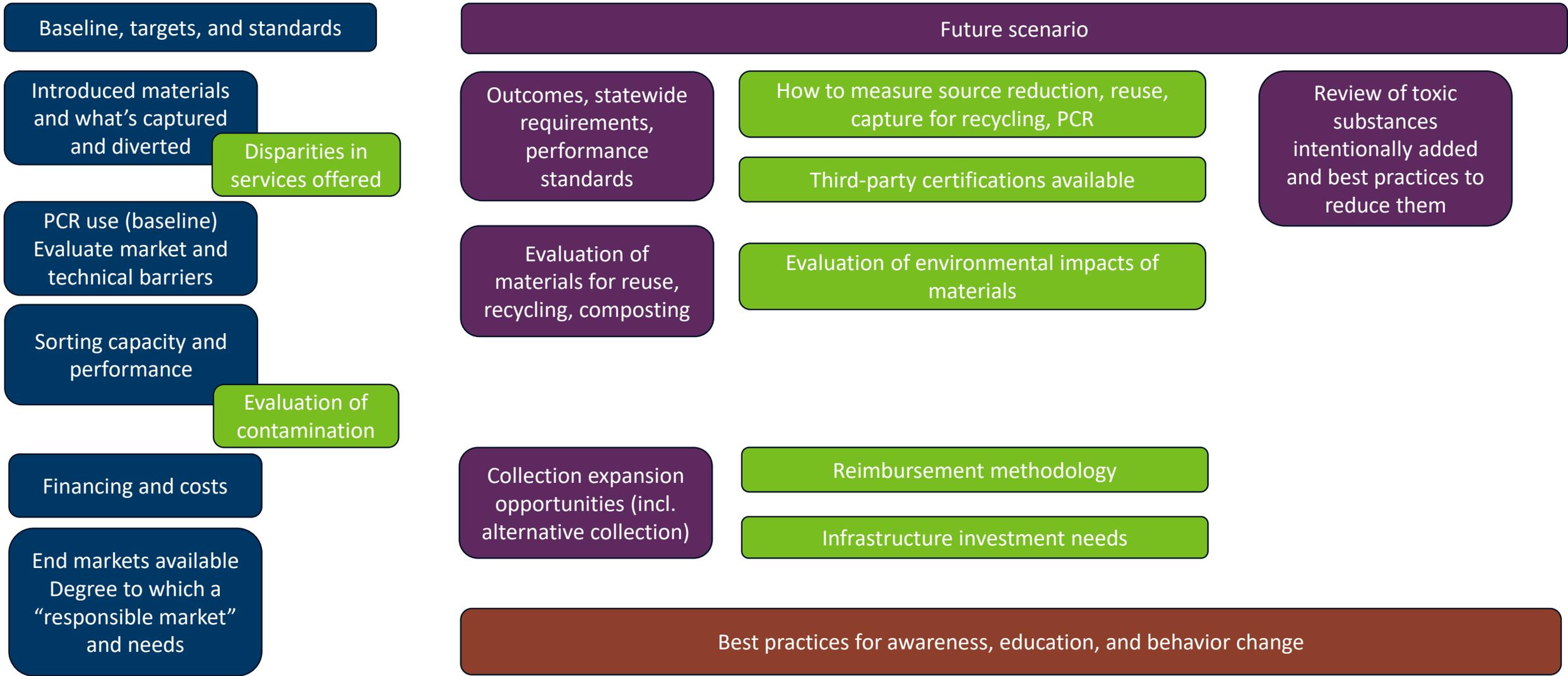
## **Needs Assessment:**

- Evaluates waste reduction, reuse, recycling, and composting and sets the baseline for program measures and outcomes – including proposals for statewide requirements
- Includes data collection from municipalities, counties, waste haulers, waste and recycling facility operators, and markets to identify where investments should be made in collection, sorting, and end markets.
- Includes engagement with interested parties on key topics covered like visioning the future system, use of third-party certifications, toxics and environmental outcomes, and reimbursements to service providers.

# DRAFT Needs Assessment Timeline



# Key subject areas for Needs Assessment



# Needs Assessment sets the baseline

- Minn. Stat. § 115A.1450, Subd. 5. **Needs assessment as baseline.** When determining the extent to which any statewide requirement or performance target under sections 115A.144 to 115A.1463 has been achieved, information contained in a needs assessment must serve as the baseline for that determination, when applicable.
- The Needs Assessment includes an evaluation of covered materials in the disposal, recycling, and composting streams to determine the covered materials types and amounts within each stream, using new studies conducted by the commissioner or publicly available and applicable studies;
- As part of the Preliminary Assessment, “tons of collected covered materials” were previewed using 2023 SCORE reporting data. This will be elaborated upon in the Needs Assessment and updated using 2024 SCORE reporting data to set the official baseline.

# Baseline, targets, and standards

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- What are the collection rates, recycling rates, composting rates, reuse rate and return rate, of covered materials by covered materials type (as applicable) and by all covered materials?
- What is the extent to which postconsumer recycled content (PCR) is or could be included into each covered materials type? What are market and technical barriers to incorporating PCR into covered materials?

# Baseline, targets, and standards cont.

- How are covered materials managed today (using 2024 data, over a one-year-span of time)?
- How many tons are going into waste-to-energy facilities and landfills, how much is captured for recycling and composting? This should be modeled using waste composition studies completed by both waste-to-energy facilities, voluntarily completed by municipalities and other units of government, or based on other state's and adjusted for MN.
- What is the current infrastructure, capacity and performance of that infrastructure to manage covered materials generated within the state?
- What are the major causes and types of contamination?
- What are the costs to manage that contamination at facilities?

# Baseline, targets, and standards cont.

- What are current funding sources and funding levels of this existing system?
- What are estimated total annual costs of all covered services?
- Identification of disparities in the availability of these covered services in environmental justice areas compared with other areas and proposals for reducing or eliminating those disparities.
- An assessment of the viability and robustness of markets for recyclable covered materials and the degree to which these markets can be considered responsible markets.

# Statewide requirements and performance targets

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Proposals for a range of outcomes:

For ***each covered materials type*** and ***all covered materials*** to be accomplished within a five-year time frame in multiple units of measurement, including unit-based, weight-based, and volume-based, for each of the following:

- waste reduction;
- reuse rate and return rates;
- recycling rates;
- composting rates; and
- postconsumer recycled content, as applicable.

- Outcomes must consider the state of the existing systems documented in this report, goals and requirements of the Waste Management Act, statewide goals for greenhouse gas reduction, a need for continuous improvement, that advance these other goals as quickly as possible and to the maximum amount possible, and as informed by programs in other states.

## Proposed metrics for measurement

- Proposed plans and metrics for how to measure progress in achieving performance targets (set by CAA in program plan) and statewide requirements (set by Commissioner of MPCA). Including an evaluation of options for third-party certification of activities to meet obligations of this law.

# Collection lists and modes of collection

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- Identification of the covered materials with the most significant environmental impact, including assessing each covered material's generation of hazardous waste, generation of greenhouse gases, environmental justice impacts, public health impacts, and other impacts.
- Recommended collection methods by covered materials type to maximize collection efficiency, feedstock quality, and optimize service and convenience. This includes a review of criteria for alternative collection programs.

# Collection lists and modes of collection cont.

## Criteria:

- Current availability of recycling and composting collection services.
- Recycling and composting processing infrastructure.
- Capacity and technology for sorting covered materials.
- Whether a covered material is of a type and form that is regularly sorted and aggregated into defined streams for recycling processes or is included in a relevant Institute of Scrap Recycling Industries specification or its successors.
- Availability of responsible markets.
- Presence and amount of processing residuals, contamination, and toxic substances.
- Quantity of covered material estimated to be available and recoverable.
- Projected future conditions for these criteria in clauses.

# Future scenario

Evaluation of investments needed to increase waste reduction, reuse, recycling, and composting rates of covered materials according to the range of proposed performance targets and statewide requirements, including investments in existing and new infrastructure.

- Investments needed to maintain or improve operations of existing infrastructure and accounts for waste reduction, reuse, recycling, and composting of covered materials statewide.
- Investments needed to expand the availability and accessibility of recycling collection services for recyclable covered materials to all covered entities to optimize service and convenience.
- Investments needed to establish and expand the availability and accessibility of reuse services for reusable covered materials.

# Reimbursement rates

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Recommended methodology for applying criteria and formulas to establish reimbursement rates according to the criteria set in law.

The cost to collect covered material for recycling, a proportional share of composting, or reuse adjusted to reflect conditions that affect those costs, varied by region or jurisdiction in which the covered services are provided, including but not limited to:

- The number and type of covered entities;
- Population density;
- Collections methods employed;
- Distance traveled by collection vehicles to consolidation or transfer facilities; to reuse, recycling, or composting facilities; and to responsible markets;
- Other factors that may contribute to regional or jurisdictional cost differences;
- The proportion of covered compostable materials within all source-separated compostable materials collected or managed through composting; and
- The general quality of covered materials collected by service providers.

# Reimbursement rates cont.

- The cost to transfer collected covered materials from consolidation or transfer facilities to reuse, processing, recycling, or composting facilities or to responsible markets.
- The cost to:
  - Sort and process covered materials for sale or use and remove contamination from covered materials by a recycling or composting facility, less the average fair market value for that covered material based on market indices for the region; and
  - Manage contamination removed from collected covered material.
- Administrative costs of service providers, including education, public awareness campaigns, and outreach program costs as applicable.
- The costs of covered services for a refill system or covered services provided for reusable covered materials and management of contamination.

Awareness, education, and behavior change

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An assessment of current best practices to increase public awareness, educate, and complete outreach activities accounting for culturally responsive materials and methods and an evaluation of the efficacy of these efforts, including assessments and evaluations of current best practices.

- Impact of using product or packaging labels as a means of informing consumers about environmentally sound use and management of covered materials.
- Increasing public awareness of how to use and manage covered materials in an environmentally sound manner.
- How to access waste reduction, reuse, recycling, and composting services.
- Encouraging behavior change to increase participation in waste reduction, reuse, recycling, and composting programs.

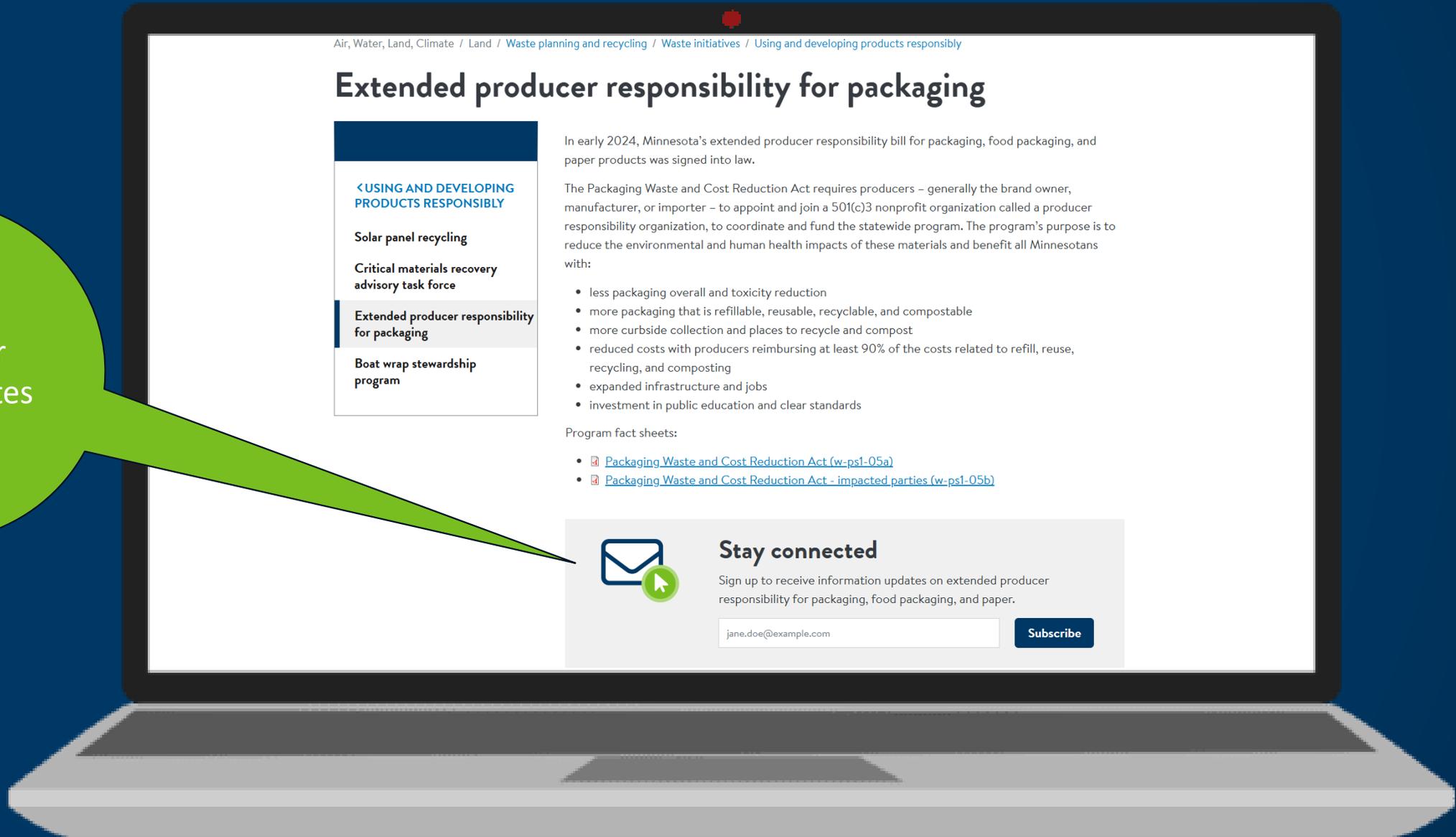
# Evaluation of toxic substances used

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An assessment of toxic substances intentionally added to covered materials, whether this limits one or more covered materials types from being used as a marketable feedstock, and best practices producers can implement to reduce intentionally added toxic substances in covered materials that could be verified through suppliers certificates of compliance, testing, or other analytical and scientifically demonstrated methodology.

# Stay connected with updates

Sign-up for e-mail updates



# Next steps

- Draft surveys and interview guides posted soon
  - County Survey
  - Municipality Survey
  - Hauler Survey
  - Facilities Survey
  - Market/Recyclers Survey
- Outline of Needs Assessment with data collection methodologies explained posted soon
- Request feedback on these two items between January 5 to January 21, opportunity to meet with MPCA to provide feedback, accept written feedback by e-mail, or share your with a board member.
- On January 21 at the EPR for Packaging Advisory Board meeting there will be a presentation by Eunomia on the methodologies and plan for completing the Needs Assessment.

# Key places for county feedback

- Coordination on data collection from cities and townships
- Coordination on data collection from haulers – particularly in greater MN
- Are there any key topic areas the Needs Assessment will cover that you would like to provide feedback on (waste reduction, reuse, covered materials collection lists, toxics, reimbursement methodologies, education/outreach, etc.)
- Once the draft survey is distributed:
  - Terms used and confirming the questions are sent to the right audience (county, city, hauler, facility, recycler/market)
- Once the outline and methodology document is distributed:
  - Reimbursement rates
  - Collection lists criteria
  - Covered materials types (list of materials)

# Questions?

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651-757-2844

[www.pca.state.mn.us/packaging](http://www.pca.state.mn.us/packaging)

