

# Commercial recycling law

## Frequently asked questions

### 1. What is the law?

Recycling is required when:

1. A building is located in Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, or Washington County.
2. At least one business in the building is in sectors 42 through 81 of the North American Industrial Classification System (NAICS).
3. The total trash generated by the building is four cubic yards or more per week.

Full text of the law is in [Minnesota Statute 115A.151](#).

A complete listing of NAICS sectors can be found on the [US Census website](#).

### 2. What is the purpose of this law?

Nearly 75% of what Minnesotans throw in the trash [could be recycled](#):

- 34% is paper, plastic, metal, and glass
- 18% is food 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 law is an opportunity for businesses to decrease their waste, reduce their taxes by increasing recycling, and support Minnesota's recycling industry, which creates approximately 37,000 jobs in the state. Increased commercial recycling is an essential component of meeting state recycling goals set by the [Metropolitan Solid Waste Management Policy Plan](#), County Master Plans, and [state law calling for a metro recycling goal of 75% by 2030](#).

### 3. Can I save money by increasing my building's recycling?

Yes. There is no tax on recyclables or organics in Minnesota, but there is a 17% state solid waste management tax charged on all commercial trash. Many counties charge additional taxes or fees as high as 53% on trash, but not on recyclables or organics.

By keeping recyclables and organics out of your trash, you may be able to reduce the container size or frequency of your trash collection. By targeting high volume recyclable materials in 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.

### 4. What has to be recycled?

At least three of the following types of materials must be recycled:

- Glass
- Metal
- Plastic
- Paper: office paper, cardboard, newspaper
- Organics: food waste and non-recyclable paper
- Less common materials specific to your business, such as textiles

## **5. Do cardboard and packing paper count as two recyclable materials?**

No. They are both considered paper. Likewise, plastic wrap and plastic strapping are one material: plastic.

## **6. Does single-sort collection meet the requirements of the law?**

Yes. Collecting several kinds of recyclable materials in one container meets the requirements of the law as long as three or more materials are collected. This is commonly known as single-sort recycling or commingled recycling.

## **7. Who is responsible for compliance with the law?**

The law states that the “owner of a commercial building” must ensure that facilities under its control collect at least three materials for recycling.

Even if tenants contract for their own trash hauling services, the building owner is responsible for ensuring compliance with the recycling law.

Full text of the law is in [Minnesota Statute 115A.151](#).

## **8. Is each business in a multi-tenant building required to recycle?**

It is the responsibility of the building owner to ensure that tenants recycle three materials. This can be accomplished in commercial buildings in several ways, depending on available space and the types and amounts of recyclable materials. If tenants generate similar recyclables, a centralized collection area in a trash room or loading dock is an effective and efficient way to provide recycling for all tenants.

Building owners: Provide flexible recycling options to accommodate the needs of your tenants. Some may produce significantly different recyclable materials.

Tenants: Work with your building owner to develop a recycling program that works for all or most of the tenants. Be willing to seek out separate recycling services for unique or business-specific materials such as plastic wrap, plastic strapping, textiles, or wood pallets.

## **9. Are buildings required to provide recycling collection directly to customers, such as in lobbies, walkways, restrooms, and other spaces accessible to customers?**

Technically no, but keep in mind that the legislative intent of the law is to increase recycling. Recycling programs are most successful and maximize the amount of material recycled when recycling bins are available to everyone. If customers generate most of your recyclable materials, you should provide recycling bins for customers. Customers, employees, and the community notice when businesses are environmentally friendly.

If your business provides a trash can for your customers, pair it with appropriate recycling bins. Look in the trash cans to see what your customers are throwing away, then provide bins for those materials and ensure they are recycled.

## 10. What kinds of businesses are included?

The law applies to NAICS sectors 42-81. A complete listing of NAICS sectors can be found on the [US Census website](#). In general, the law applies to businesses that provide services, but it does not apply to businesses that manufacture goods.

Examples of businesses that must recycle include:

- Arts, entertainment, and sports venues
- Dry cleaners
- Education and health care
- Gas stations
- Grocery and liquor stores
- Hotels, RV parks
- Legal, financial, and real estate
- Media and publishing firms
- Multi-family housing
- Nonprofits
- Post offices
- Professional and technical services
- Restaurants and bars
- Religious organizations
- Repair shops
- Retail stores
- Telecommunications
- Transportation and warehouses
- Utilities
- Wholesalers

## 11. Are multifamily residential buildings such as apartments and condos included?

Yes, multifamily housing such as apartments and condos, also referred to as multi-unit dwellings, are required to recycle under the commercial recycling law.

Many cities in the metro area have specific requirements, programs, and assistance for recycling at multifamily housing. Contact your county or city's solid waste department for more information.

## 12. What is the MPCA's plan for informing businesses about the law?

The MPCA is working with counties, cities, businesses, trade groups, and building owners to make sure businesses know about the law and what resources are available to help them recycle more. More information can be found at <https://www.pca.state.mn.us/businessrecycling>.