

This Document can be made available in alternative formats upon request

State of Minnesota

HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. 2387

03/13/2017 Authored by Hoppe The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy and Finance

1.1 A bill for an act
1.2 relating to solid waste; specifying waste management methods for certain types
1.3 of waste; proposing coding for new law in Minnesota Statutes, chapter 115A.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. 115A.481] MANAGEMENT OF CERTAIN TYPES OF WASTE.

1.6 Subdivision 1. Definitions. (a) For purposes of this section, the terms in paragraphs (b)
1.7 to (g) have the meanings given them.

1.8 (b) "Anaerobic digestion" means a process that microbially degrades organic matter,
1.9 including organic waste, to produce biogas and digestate.

1.10 (c) "Compost" means a product produced from organic waste subjected to controlled
1.11 microbial degradation to yield a humus-like product.

1.12 (d) "Compost facility" has the meaning given in Minnesota Rules, part 7035.0300,
1.13 subpart 19.

1.14 (e) "Composting" has the meaning given in Minnesota Rules, part 7035.0300, subpart
1.15 20.

1.16 (f) "Digestate" means the solid or liquid material remaining after anaerobic digestion of
1.17 organic waste.

1.18 (g) "Organic waste" means food and other animal- and plant-based materials that are
1.19 not separated by a generator for recycling and remain in mixed municipal solid waste.

1.20 Subd. 2. Management. (a) Compost produced by a compost facility may be managed
1.21 in a permitted solid waste industrial waste landfill if the compost:

2.1 (1) is produced from organic waste that is manually or mechanically separated from
2.2 mixed municipal solid waste; and

2.3 (2) has not been distributed for end use as specified in a compost distribution plan
2.4 approved by the commissioner under Minnesota Rules, part 7035.2836, subpart 7.

2.5 (b) Mechanically separated organic waste or digestate may be managed within a separate
2.6 industrial solid waste landfill cell constructed with a liner that meets the requirements of
2.7 subtitle D of the federal Resource Conservation and Recovery Act, as specified in Code of
2.8 Federal Regulations, title 40, section 258.40.

2.9 (c) Organic waste managed under paragraph (b) may be removed from an industrial
2.10 solid waste landfill cell for composting.

2.11 (d) Residuals or other by-products from organic waste that is manually or mechanically
2.12 separated from mixed municipal solid waste or from anaerobically digested organic waste
2.13 is no longer mixed municipal solid waste.

2.14 **EFFECTIVE DATE.** This section is effective the day following final enactment.