

2.1 (4) resource recovery through mixed municipal solid waste composting or
2.2 incineration;

2.3 (5) land disposal which produces no measurable methane gas or which involves the
2.4 retrieval of methane gas as a fuel for the production of energy to be used on-site or for
2.5 sale; and

2.6 (6) land disposal which produces measurable methane and which does not involve
2.7 the retrieval of methane gas as a fuel for the production of energy to be used on-site
2.8 or for sale.

2.9 Sec. 2. Minnesota Statutes 2006, section 115A.03, subdivision 21, is amended to read:

2.10 Subd. 21. **Mixed municipal solid waste.** (a) "Mixed municipal solid waste" means
2.11 garbage, refuse, and other solid waste from residential, commercial, industrial, and
2.12 community activities that the generator of the waste aggregates for collection, except as
2.13 provided in paragraph (b).

2.14 (b) Mixed municipal solid waste does not include auto hulks, street sweepings, ash,
2.15 construction debris, mining waste, sludges, tree and agricultural wastes, tires, lead acid
2.16 batteries, motor and vehicle fluids and filters, and other materials collected, processed,
2.17 and disposed of as separate waste streams, ~~but does include source-separated compostable~~
2.18 ~~materials.~~

2.19 Sec. 3. Minnesota Statutes 2006, section 115A.03, subdivision 32a, is amended to read:

2.20 Subd. 32a. **Source-separated compostable materials.** "Source-separated
2.21 compostable materials" means ~~mixed municipal solid waste~~ material that:

2.22 (1) is separated at the source by waste generators for the purpose of preparing it
2.23 for use as compost;

2.24 (2) is collected separately from other mixed municipal solid wastes;

2.25 (3) is comprised of food wastes, fish and animal waste, plant materials, diapers,
2.26 sanitary products, and paper that is not recyclable because the commissioner has
2.27 determined that no other person is willing to accept the paper for recycling; and

2.28 (4) is delivered to a facility to undergo controlled microbial degradation to yield
2.29 a humus-like product meeting the agency's class I or class II, or equivalent, compost
2.30 standards and where process residues do not exceed 15 percent by weight of the total
2.31 material delivered to the facility.