

December 19, 2025

Commissioner Kessler
Minnesota Pollution Control Agency
520 Lafayette Rd,
St Paul, MN 55155



Re: Preliminary Needs Assessment – MN EPR for Packaging & Paper

Dear Commissioner Kessler,

We appreciate the work of MPCA staff and Eunomia to draft the Preliminary Needs Assessment—a foundational step in implementing Extended Producer Responsibility (EPR) for Packaging and Paper. Developing a statewide needs assessment of this scope and complexity is a substantial undertaking, and we recognize the effort that has gone into assembling and synthesizing information from across Minnesota’s recycling system. At the same time, we are concerned that the Preliminary Needs Assessment, as drafted, contains significant inaccuracies, unsupported assumptions, and data gaps that—if left unaddressed—risk undermining effective implementation of the law.

Eureka Recycling has served the Twin Cities for more than 20 years. As a mission-driven recycler operating a collections fleet and a materials recovery facility—and working daily with cities, counties, and residents across Minnesota—we know firsthand that recycling system costs, capacity, and performance are variable and deeply local. The current draft relies too heavily on incomplete datasets, extrapolations from other states, and assumptions that are not sufficiently grounded in Minnesota conditions. Presenting this information as statewide estimates—without full sourcing, verification, or transparency—could lead to policy and program decisions based on data that do not reflect how Minnesota’s recycling system actually operates or the state’s unique needs.

As intended by the Legislature, a strong EPR program should be a tool for reducing waste, supporting high-quality recycling systems—including maintaining bale quality, safe working conditions, and effective operations—and expanding equitable access to upstream programs such as reuse, repair, and community recycling systems. Building such a program requires needs assessments that are thoughtful, thorough, and grounded in Minnesota’s existing infrastructure and local expertise. Without this foundation, policy risks prioritizing generic solutions that fail to deliver real environmental, social, and economic benefits for Minnesota communities.

Where representative, Minnesota-specific data do not exist or cannot be verified within the current timeline, we strongly urge the Agency to omit those figures from the Preliminary

Assessment and clearly identify them as data gaps to be addressed in the Full Needs Assessment. Inaccurate data is more harmful than incomplete data—especially at this stage.

We also urge MPCA to ensure that:

- All data included are fully sourced, transparent, and clearly explained;
- Assumptions from other states are validated against Minnesota conditions or not used;
- Information provided by recyclers and service providers is kept confidential and anonymized to encourage honest participation; and
- The report does not imply capacity, access, or market readiness that does not currently exist.

Finally, the timeline for completing the Preliminary Needs Assessment was extremely compressed. The pace of this process limited opportunities for meaningful public input and careful data validation. Repeating a similar approach for the Full Needs Assessment would, by its nature, leave out many crucial voices. Packaging waste affects every Minnesotan, and its impacts are not experienced equally—particularly in low-income communities, communities of color, Tribal communities, and rural areas. As the Agency begins work on the Full Needs Assessment, it is critical to establish a more deliberate, transparent, and inclusive process that allows sufficient time for engagement, incorporates expertise from affected communities and system operators, and produces analysis that is both credible and durable.

Eureka Recycling supports a strong, effective EPR program that prioritizes waste reduction, reuse, and real recycling—and that requires a needs assessment Minnesotans can trust. We urge the Agency to ensure the needs assessments include thorough data validation, meaningful engagement, and clear, reliable conclusions.

Thank you for your consideration and for your continued partnership in implementing a strong EPR for Packaging & Paper program in Minnesota.

Sincerely,



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