

# Recycling Rule Revision: Changes for Materials Recovery Facilities (MRFs)

The Department of Natural Resources (DNR) has revised the administrative code that oversees materials recovery facilities (MRFs) that serve as a component of a responsible unit's (RU's) effective recycling program and other aspects of Wisconsin's recycling law. The rule revisions took effect July 1, 2025.

This document summarizes changes specifically for MRFs, to help MRFs understand and comply with the changes. Please refer to [s. NR 544.16, Wis. Adm. Code](#), for exact language. If you have questions about the changes, contact [DNRRecycling@wisconsin.gov](mailto:DNRRecycling@wisconsin.gov).

## Owner Financial Responsibility (OFR)

Before the code revision, MRFs were not required to provide OFR like other solid waste processing facilities. OFR ensures funding is available for the DNR to perform necessary site closure activities if the owner/operator does not fulfill the requirements themselves.

Beginning in 2027, in-state MRFs will be required to obtain OFR if expecting to receive over 5,000 tons/year of recyclable materials under normal operations, or if the facility has received over 5,000 tons in two of the last three years. Affected MRFs will need to submit a cost of closure estimate with their self-certification of operation application (see below). DNR staff will review the estimate before the MRF establishes its OFR. Cost of closure calculations will only be for materials with a net negative value after loading, transportation and recycling or disposal fees. Cost of closure estimates will include the costs of loading, transporting, and disposing or recycling fees for the maximum amounts the facility proposes to store, along with a 10% contingency.

## Minimum Glass Recycling Rate

Container glass is one of the materials statutorily banned from landfill disposal or incineration. MRFs often receive broken glass or glass mixed with other material, like food, that render the glass unfit for market as a product. In those cases, glass may be disposed of as residual waste or in ways that do not meet the definition of "recycling" or beneficial reuse. In addition, facilities that receive potentially marketable glass usually cannot be designed or operated to effectively capture all of this material. A majority of facilities make a good-faith effort to recycle or beneficially reuse the glass they receive, but some facilities label much of their processed glass as residual material. In response to comments from facility owners that have invested in methods to produce as much recycled glass as possible, and to uphold the disposal ban, the rule establishes a glass recycling rate so that MRFs all have the same standard and are on a more even playing field.

The rule establishes a minimum glass recycling rate of 12% for material from noncommercial sources, which means the weight of glass sent for recycling must be greater than 12% of the

weight of total incoming material from residential and unknown sources annually. Commercial tonnages are not included, recognizing high paper volumes from offices, cardboard from warehouses and other outliers can skew the glass percentage. A 12% glass recycling rate does not mean that only 12% of received glass is recycled, but 12% of total incoming noncommercial material. If the glass recycling rate is less than 12%, a MRF must provide justification that is acceptable to the DNR. If the DNR notifies the MRF that its justification is not acceptable, the MRF must submit a glass recycling rate improvement plan that is acceptable to the DNR within 60 days.

## Maximum Residual Rate

MRFs often receive non-recyclable materials (like trash, food, non-acceptable plastics, etc.) that are not marketable, or facilities may not be designed or operated to effectively recover sufficient recyclable material. Residual waste can include this non-recyclable material, as well as recyclable material (including landfill-banned items) that did not get correctly sorted at the MRF. The maximum residual rate sets a processing baseline to ensure the integrity of recycling efforts.

The rule establishes a maximum annual residual rate of 20% for all materials processed by the MRF. If the residual rate is greater than 20%, a MRF must provide justification that is acceptable to the DNR. If the DNR notifies the MRF that its justification is not acceptable, the MRF must submit a glass recycling rate improvement plan that is acceptable to the DNR within 60 days.

## Annual MRF Self-Certification, New Self-Certification of Operation

Before the code revision, the annual MRF self-certification was a mix of questions relating to how the facility operated (how materials are sorted and processed, indoor/outdoor storage capacity, etc.), which often do not change year to year, and processing data (tonnage received, sent to end markets, etc.), which does change year to year.

The rule establishes a new self-certification of operation, which must be submitted by all MRFs withing 180 days of the effective date of the rule (Dec. 28, 2025) and within 30 days of most changes in operation. The DNR will provide this new form to MRFs by November 2025. MRF contact changes must be submitted to the DNR within 30 days but do not require submittal of a new application. The rule also removes this information from the annual self-certification (due March 30 each year).

## MRF Notification and Education Requirements

Before the code revision, MRFs were required to notify contracted RUs and the DNR at least 60 days before closing, moving or initiating single-stream processing, and as soon as practicable after an unanticipated interruption of service to a RU for a period of more than one week. The rule adds haulers to the list of entities to be notified. It also requires the MRF to notify RUs, the DNR and haulers as soon as practicable about an unanticipated interruption of service of 48 hours or

more, rather than one week, or any interruption of service that results in a change of material acceptance.

The rule also requires MRFs to provide contracted RUs and haulers with information on materials the MRF accepts. This information must be provided annually and within 30 days of a change, and must be made available for inspection upon DNR request. Information created and distributed by a MRF must be dated and indicate that the information is only specific to that facility, identified by name and address. If a contracted RU requests that a MRF review the RU's educational material for accuracy, the MRF is required to review the material within 60 days of the request.

## Additional New Requirements and Clarifications

MRFs must develop short-term (less than 48 hours) and long-term (48 hours or more) contingency plans that a facility will implement in the event of a shutdown. The DNR will not review or approve the plans, but if plans prove to be ineffective in the event of a shutdown, MRFs will be expected to revise them.

If a MRF stores unbaled, easily wind-blown material (e.g. single-stream recyclables, paper, plastic) outdoors, it must be contained in at least a 3-sided bunker with a wall height and length greater than the recyclables it contains, or other sufficient containment to control litter.

The rule also clarifies that MRFs must identify the source of incoming material in the annual self-certification. Before the rule revision, some MRFs would put all incoming tonnage in the "unknown" category despite route trucks delivering residential-only material.

The above are only code revisions that directly affect MRFs. RUs and haulers have a number of other new requirements and changes in the code revision, and other facility types had small changes. For a complete list, use the rule text link below.



### **Wisconsin Department of Natural Resources | August 2025**

The information above is a summary of changes for MRFs as a result of recycling rule revision and is not comprehensive. To view the complete rule changes, go to [Wisconsin Legislature: CR 23-065 Rule Text](#)