

HOUSE BILL 171

M3

(71r0704)

ENROLLED BILL

— *Environment and Transportation/Education, Health, and Environmental Affairs* —

Introduced by **Delegates Robinson, Cassilly, Barkley, Carr, Fraser-Hidalgo, Gilchrist, Kelly, Kramer, Lam, Luedtke, Moon, Morhaim, Pena-Melnyk, Platt, Reznik, and Waldstreicher**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this _____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Department of the Environment – Yard Waste, ~~and~~ Food Residuals, and Other**
3 **Organic Materials Diversion and Infrastructure – Study**

4 FOR the purpose of requiring the Department of the Environment, in consultation with
5 certain persons, to study, review, explore, identify, and make recommendations
6 regarding certain matters that relate to the diversion of yard waste, food residuals,
7 and other organic materials from refuse disposal facilities, including certain
8 infrastructure; requiring the Department to report its interim and final findings and
9 recommendations to the Governor and the General Assembly on or before certain
10 dates; and generally relating to yard waste, ~~and~~ food residuals, and other organic
11 materials diversion and infrastructure.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
2 That:

3 (a) The Department of the Environment shall:

4 (1) study the diversion of yard waste, ~~and~~ food residuals, and other organic
5 materials from refuse disposal facilities in the State, including any State laws or
6 regulations governing the diversion of yard waste, ~~or~~ food residuals, or other organic
7 materials;

8 (2) study the laws and regulations of other states, including the laws and
9 regulations of Massachusetts, Connecticut, Vermont, California, and Rhode Island,
10 governing the diversion of yard waste, ~~or~~ food residuals, or other organic materials;

11 (3) review the status of infrastructure for the diversion of yard waste, ~~and~~
12 food residuals, and other organic materials in the State and other states, including the
13 availability of infrastructure in relation to:

14 (i) large generators of food waste, identified by type, quantity of food
15 waste generated by entity, and geographic distribution; and

16 (ii) organizations that use surplus food, identified by type and
17 geographic distribution;

18 (4) explore ways to promote composting of yard waste and food residuals
19 and other methods of organic waste reduction and diversion, including ways to encourage:

20 (i) a decentralized and diverse infrastructure; and

21 (ii) the prevention of organic waste generation;

22 (5) identify the infrastructure needs and challenges related to yard waste,
23 food residuals, and other organic materials composting and diversion that are unique to the
24 different geographic regions of the State;

25 ~~(5)~~ (6) identify means to encourage investment in infrastructure and provide
26 economic incentives to expand capacity for yard waste, ~~and~~ and food residuals, and other
27 organic materials diversion in the State, including ~~identification of~~:

28 (i) the development of, in consultation with local governments,
29 model guidelines and best practices for the local identification of properties or development
30 zones where diversion infrastructure may be developed; and

31 (ii) the identification of any tax, grant, or other incentives that
32 already exist to encourage and support infrastructure and economic development;

1 (7) identify any applicable sanitary and public health concerns related to
 2 yard waste, food residuals, and other organic materials composting and diversion;

3 ~~(6) recommend a refuse disposal fee to finance a grant program that~~
 4 ~~provides financial assistance to develop infrastructure and expand capacity for yard waste~~
 5 ~~and food residuals diversion in the State;~~

6 (8) identify the current process for permitting anaerobic digestion facilities
 7 and recommend improvements that should be made to the anaerobic digestion permitting
 8 process;

9 ~~(7) (9) recommend measures to promote the diversion of yard waste, and food~~
 10 ~~residuals, and other organic materials in the State, including any necessary programmatic,~~
 11 ~~legislative, or regulatory changes; and~~

12 ~~(8) (10) subject to the approval of the affected local governments, recommend~~
 13 ~~a pilot program for the region in which Elkridge and Jessup are located to prioritize~~
 14 ~~infrastructure development and food waste recovery from large food waste generators.~~

15 (b) In conducting the activities required under subsection (a) of this section, the
 16 Department shall consult with:

17 (1) the Department of Agriculture;

18 (2) ~~the Department of Natural Resources;~~

19 ~~(3)~~ the Department of Commerce;

20 ~~(3) (4) (3)~~ the Maryland Environmental Service;

21 ~~(4) (5) (4)~~ the MD–DC Compost Council;

22 ~~(5) (6) (5)~~ the American Biogas Council;

23 ~~(6) (7) (6)~~ the Restaurant Association of Maryland;

24 ~~(7) (8) (7)~~ the Maryland Retailers Association;

25 ~~(8) (9) (8)~~ the Maryland Food Bank;

26 ~~(9) (10) (9)~~ the Institute for Local Self–Reliance;

27 ~~(10) (11) (10)~~ the Maryland Recycling Network;

28 ~~(11) (12) (11)~~ the Maryland Farm Bureau;

29 ~~(12) (13) (12)~~ the Maryland–Delaware Solid Waste Association;

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1 ~~(13)~~ ~~(14)~~ (13) the Chesapeake Foodshed Network;

2 ~~(14)~~ ~~(15)~~ (14) the Maryland Horse Council;

3 ~~(15)~~ ~~(16)~~ (15) the Johns Hopkins University Center for a Livable Future;

4 ~~(16)~~ ~~(17)~~ (16) the Future Harvest/Chesapeake Alliance for Sustainable
5 Agriculture;

6 ~~(17)~~ ~~(18)~~ (17) the Maryland Association of Counties;

7 ~~(18)~~ ~~(19)~~ (18) the Maryland Municipal League; ~~and~~

8 ~~(19)~~ ~~(20)~~ (19) the Chesapeake Sustainable Business Council;

9 ~~(20)~~ ~~(21)~~ (20) the University of Maryland, College Park;

10 ~~(21)~~ ~~(22)~~ (21) the Chesapeake Bay Foundation;

11 ~~(22)~~ ~~(23)~~ (22) the Food Waste *Reduction* Alliance;

12 ~~(23)~~ ~~(24)~~ (23) other environmental organizations; and

13 ~~(19)~~ ~~(24)~~ ~~(25)~~ (24) a private business based in the State that provides food
14 waste collection services.

15 (c) On or before July 1, 2018, the Department shall report its interim findings
16 and recommendations to the Governor and, in accordance with § 2-1246 of the State
17 Government Article, the General Assembly.

18 (d) On or before July 1, 2019, the Department shall report its final findings and
19 recommendations to the Governor and, in accordance with § 2-1246 of the State
20 Government Article, the General Assembly.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
22 1, 2017.