

**ILSR-BrendaPlatt HB1070 Testimony-FAV.pdf**

Uploaded by: Brenda Platt

Position: FAV

**TESTIMONY TO THE MARYLAND HOUSE OF DELEGATES COMMITTEE ON  
ENVIRONMENT & TRANSPORTATION**

**HB1070 – Solid Waste Disposal and Diversion and On-Farm Composting and Compost Use**

**Position: Support**

**March 2, 2022 Public Hearing**

Brenda Platt, Director, Composting for Community Initiative, [bplatt@ilsr.org](mailto:bplatt@ilsr.org)

Institute for Local Self-Reliance 1200 18th Street, NW, Suite 700, Washington, DC 20036

Dear Chairman Barve, Vice Chair Stein, and Members of the Committee,

My name is Brenda Platt and I direct the Composting for Community Initiative at the Institute for Local Self-Reliance, a national nonprofit that has been advancing waste diversion in Maryland for many years.

**The Institute for Local Self-Reliance urges a favorable report on HB1070 – Solid Waste Disposal and Diversion and On-Farm Composting and Compost Use.** This bill would establish significant funding for waste diversion projects including reduction, reuse, repair, composting, and recycling.

Maryland has made significant legislative progress in promoting recycling and composting. What is still lacking is funding for more programs and infrastructure, for everything from education and outreach to equipment for farmers.

We thank Delegate Regina T. Boyce for bringing this legislation forward to establish funds and grant programs to support a wide range of eligible projects throughout the state of Maryland.

Key reasons to support this bill include:

- Maryland's recycling level has stagnated and landfills are approaching capacity.
- Maryland's landfills are emitting four times more methane than previously estimated
- More programs focused on waste prevention, reuse, repair, and composting are needed in Maryland. For instance, only 18% of wasted food in Maryland is recycled, and a major report found that funding and incentives for food waste reduction and composting in Maryland are limited.<sup>1</sup>
- Last year's HB264 requires large food generators to divert their food waste if capacity exists. This bill creates a tremendous opportunity to support farmers in creating some of that needed capacity and in using compost produced in the state. An influx of diverted

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<sup>1</sup> Source: [NRDC Mid-Atlantic Food Waste Policy Gap Analysis and Inventory](#). August 2021. (P. 13)

food waste will require expanded processing capacity at all levels (including community-scale and farm composters).

- We have heard first-hand testimony from other states (including Ohio, Pennsylvania, New Jersey, Wisconsin, Indiana, Minnesota, North Carolina and Iowa) who have a similar disposal surcharge to waste diversion mechanism in place. These states have shared that their programs have had positive impacts on their local communities, economies, and the environment. Wisconsin's \$7 per ton recycling fee, for instance, generates \$37 million to \$40 million per year in funding. Iowa created \$8 million in grant funding based on its surcharge applied to 3.9 million tons of waste. In North Carolina, during the peak of its program, it provided funding for 35 to 80 public and private projects per year. Even states such as Indiana with a small per ton fee have had tremendous impact. In 2020, its \$1.8 million in grant funding created 47 new jobs and diverted 85,000 in new material from disposal. (See presentations from five of these state agencies on our February 2022 webinar, [Funding Recycling Infrastructure via Disposal Surcharges](#).) Why not Maryland too?
- The grant programs will help Maryland businesses develop and expand their waste diversion efforts. It will also provide direct funding to counties to fund a wide range of projects from waste prevention to repair, composting, and countering illegal dumping.
- The proposed grant programs have a built-in funding mechanism. This is not an unfunded mandate on the state.

Sincerely,



Brenda Platt  
Director, Composting for Community Project  
Institute for Local Self Reliance

# **Support of HB 1070 - Solid Waste Disposal and Dive**

Uploaded by: Colby Ferguson

Position: FAV



# Maryland Farm Bureau, Inc.

3358 Davidsonville Road • Davidsonville, MD 21035 • (410) 922-3426

March 2, 2022

To: House Environment & Transportation Committee

From: Maryland Farm Bureau, Inc.

Re: **Support of HB 1070 - Solid Waste Disposal and Diversion and On-Farm Composting and Compost Use**

On behalf of our member families, I submit this written testimony in support of HB 1070, legislation that will create grant programs to divert compostable waste from landfills as well as on-farm composting and compost use. Funded by a nominal surcharge on waste disposed at landfills, incinerators, and waste transfer stations, this grant program could make more than \$30 million per year available to mobilize investments in waste prevention, reuse, repair, recycling, and composting. Half of the grant funds are earmarked to support on-farm composting and compost use.

Expanding the ability to compost on farms is essential for farmers to generate the needed organic matter and natural fertilizer to improve soil health and make farm fields more resilient. Programs like this one would inject money into a fledgling industry that would help divert compostable materials from the landfill and to a farm for a much better and more sustainable use.

MDFB Policy: We support the right for Maryland farmers to make and process mulch and compost from both on and off the farm sources.

**MARYLAND FARM BUREAU SUPPORTS HB 1070 AND REQUEST A FAVORABLE REPORT**

A handwritten signature in black ink, appearing to read "Colby Ferguson".

Colby Ferguson  
Director of Government Relations

*For more information contact Colby Ferguson at (240) 578-0396*

**HB 1070 testimony.pdf**

Uploaded by: Donna Kuzemchak

Position: FAV

As a municipal elected official, I'd like to provide my support for HB 1070 to establish funding for waste diversion projects.

We've all seen the evolution of waste disposal. With landfills emitting many times more methane than estimated, we understand the need to divert wasted food and other compostable materials from landfills. These waste diversion efforts are especially important in municipalities, where there is less space for composting on properties. Downtown areas and restaurants are especially affected and expanding composting programs in Maryland will provide a means to use that waste in an environmentally friendly manner.

With grant funding provided for development and expansion of diversion efforts, municipalities may be able to partner with composters for more sustainable waste management.

Alderwoman Donna Kuzemchak

The City of Frederick

301-964-9988

# **GHeiderman testimony HB 1070.pdf**

Uploaded by: Garvey Heiderman

Position: FAV



## Garvey Heiderman Testimony for HB1070

Hello ladies and gentlemen of the committee. My name is Garvey Heiderman and I own The Hobbit Restaurant and Ocean Compost LLC in ocean city Maryland.

The hobbit has been run by my family for 45 years and I've run it by myself for the past 10 years. Back in 2018 I sorted our waste into compostable and non compostable bins for 2 weeks. I personally weighed every bag of trash and discovered that just over 50% of our waste (in weight) was compostable. After that I started our compost program in ocean city.

Since 2018 the program has been funded by some donations but the lions share has come from me personally. I realize this is not something everyone who runs a restaurant will do and that is exactly why we need a bill like this.

If we don't help food waste producers (restaurant and grocery stores) with purchasing materials needed to sort their compostable waste then the intent of compost legislation will stagnate. This bill will help provide the momentum needed to get a critical mass of businesses reducing and recycling their waste.

Maryland has always been a leader in the green space and we are lagging behind in this sector currently. I'm an efficiency guy and the fact that we don't have the infrastructure in place to capture a high value renewable resource to help protect our watershed among other things is very inefficient. We need to continue to parallel path the infrastructure and the legislation that makes composting part of Maryland's waste management program.

The opposition will state this is not the time to impose extra fees to haulers, when in fact it is very much the time. The sooner we institute legislation like this, the sooner the metrics will be worked out to incorporate different costs for composting in the public and private sector. Remember that this bill doesn't just benefit a select few, it benefits everyone. States all around the country have already done this and it is working. Now is the time to be a leader in our region. Thank you for your time.

# **Heidarian\_Fair\_Farms\_HB\_1070\_Testimony.pdf**

Uploaded by: Humon Heidarian

Position: FAV



February 28, 2022  
The Honorable Kumar P. Barve  
Environment and Transportation Committee  
Maryland House of Delegates  
91 State Circle  
Annapolis, MD 21401-1904

**HB 1070- Solid Waste Disposal and Diversion and On-Farm Composting and Compost Use**  
Delegate Regina T. Boyce

Position: Favorable

Dear Chair Barve,

The Fair Farms Campaign asks for a favorable report of this bill. Fair Farms is a program of Waterkeepers Chesapeake which works with local farmers that grow sustainably to create policies that would benefit them. We are a campaign with over 150 partners, including farmers, urban and rural, advocates, and business owners.

Maryland landfills are filling up and releasing tens of thousands of tons of methane into the atmosphere. This bill solves this issue by diverting waste through a nominal fee and providing an alternative by establishing grants for composting infrastructure and education. Supporting this bill also supports the livelihoods of farmers who use compost, and schools and non-profits who can teach the next generation about composting. It also could create more jobs in this field.

The composting process plays a key role in our food system. Its role is well known to farmers but often invisible to consumers. Farmers use compost made from food waste and woody material such as wood chips, to build the healthy soils that grow the produce that in turn, consumers eat. Any leftovers from consumers become food waste which, can be used by farmers to make more compost. This has a much smaller environmental impact compared to anaerobic digestion.

Composting is essential in many agricultural and conservation solutions including improving healthy soil, food waste diversion, and mitigating climate change.

Thank you to Delegate Boyce, her staff, the Institute for Local Self-Reliance, and other stakeholders involved in crafting this legislation.

Sincerely,

Humon Heidarian  
[humon@fairfarmsnow.org](mailto:humon@fairfarmsnow.org)  
Fair Farms Campaign  
Waterkeepers Chesapeake



**HB1070\_MDSierraClub\_fav 2March2022.pdf**

Uploaded by: Josh Tulkin

Position: FAV



Maryland Chapter  
P.O. Box 278  
Riverdale, MD 20738

**Committee:** Environment and Transportation

**Testimony on:** HB1070 – Solid Waste Disposal & Diversion and On-Farm Composting & Compost Use

**Position:** Support

**Hearing Date:** March 2, 2022

The Maryland Chapter of the Sierra Club urges you to support HB1070. This bill would create an Environmental Stewardship Fund to finance two grant programs aimed at increasing waste diversion, recycling, and composting infrastructure, financed by a \$5 per ton surcharge on waste disposal. Half of the Fund would be allocated to the On-Farm Composting & Compost Use Grant Program, supporting farmers' investments, development, and implementation of on-farm composting and compost use. The other half of the Fund would be allocated to the Waste Diversion Grant Program, allocated equally between grants to counties<sup>1</sup> for waste diversion efforts and competitive grants to businesses, schools, non-profit organizations, farmers, and others for the same.

Reducing waste and its disposal in landfills and incinerators is one of several key strategies for reducing greenhouse gas emissions and fighting climate change. However, success at diverting waste depends critically on having in place the infrastructure for expanded composting and recycling. It requires investments in infrastructure by local government, farmers, businesses, schools, nonprofits, and other local entities.

HB1070 would generate the resources for these needed investments, while at the same time discouraging waste disposal. For example, in 2019 a \$5 per ton surcharge on waste accepted at Maryland permitted municipal solid waste landfills and permitted incinerators would have generated at least \$9 million dollars annually for these needed investments.<sup>2</sup> Solid waste surcharges ranging from 50 cents per ton to \$13 per ton at landfills, incinerators, and transfer stations have been funding recycling and waste reduction programs in Indiana, Minnesota, New Jersey, North Carolina, Ohio, Pennsylvania, and Wisconsin, as well as in local jurisdictions, since as early as the 1980's.<sup>3</sup> These investments pay for themselves, by reducing the amount of waste disposed.

Waste diversion investments are critical, and a waste disposal surcharge has proven to be a highly effective way of funding them across the country. The Sierra Club respectfully requests a favorable report on HB 1070.

Martha Ainsworth  
Chair, Chapter Zero Waste Team  
[Martha.Ainsworth@MDSierra.org](mailto:Martha.Ainsworth@MDSierra.org)

Josh Tulkin  
Chapter Director  
[Josh.Tulkin@MDSierra.org](mailto:Josh.Tulkin@MDSierra.org)

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<sup>1</sup> Including Baltimore City.

<sup>2</sup> MDE. 2021. *Maryland Solid Waste Management and Diversion Report 2020 (CY 2019)*. Total waste accepted at these facilities in 2019 was 3,858,365 tons (Tables 4 and 11). Nine million dollars is a conservative estimate of resources generated by a surcharge because more than 3 million tons of waste was accepted at transfer stations and processing facilities, but the MDE report does not distinguish between tonnage for waste disposal vs. recycling at transfer stations. The bill is unclear whether the surcharge would apply to disposal of construction and demolition debris.

<sup>3</sup> Jones, Sophia. 2022. "Surcharges on Waste Disposal Fund Composting," *Institute for Local Self Reliance*.  
<https://ilsr.org/disposal-surcharges-fund-composting/>.

Founded in 1892, the Sierra Club is America's oldest and largest grassroots environmental organization. The Maryland Chapter has over 70,000 members and supporters, and the Sierra Club nationwide has over 800,000 members and nearly four million supporters.

# **Testimony HB 1070 2022 .docx - Google Docs.pdf**

Uploaded by: Keith Losoya

Position: FAV



**TESTIMONY TO THE MARYLAND HOUSE OF DELEGATES  
COMMITTEE: ENVIRONMENT AND TRANSPORTATION**

**HB1070 SOLID WASTE DIVERSION AND DISPOSAL AND ON-FARM COMPOSTING  
AND COMPOST USE**

**POSITION: FAVORABLE**

**MARCH 2, 2022**

**KEITH LOSOYA, FOUNDER - WASTE NEUTRAL, KEITH@WASTENEUTRAL.COM**

Dear Chair Barve, Vice Chair Stein and Members of the Environment and Transportation Committee, thank you for the opportunity to submit testimony today.

My name is Keith Losoya and I come to you today from Waste Neutral, a residential and commercial food scrap hauler based out of Baltimore. Waste Neutral, started hauling organics in 2009 and is currently the largest hauler of food scraps in the Baltimore metro area. To that end, we have diverted close to seventy million pounds (35,000 tons) away from landfills and incineration: towards composting facilities to benefit our soil, air, water, and local economy.

With the advent of 2021 law HB264 going into effect in 2023 this type of funding will be critical to expand small, local infrastructure and education to meet the projected high volumes of food waste that will be diverted in the years to come. Over the years; in working with businesses, schools, compost processors, urban and rural farms we recognize the struggles they face even on a relatively small scale. This funding will provide the education, equipment and general infrastructure management to expand their organic waste diversion efforts.

As a commercial hauler we are no stranger to the miscellaneous environmental fees that accompany our standard tipping rates. We feel the surcharge proposed in this bill is modest compared to the assistance benefits the proceeds will provide. Furthermore, these grants will create good paying jobs with dignity for their communities, while improving the soil health to provide high quality local produce for seasons to come.

Given this and the testimonies of my fellow supporters, I think it comes as no surprise that I would like to voice my backing for HB1070. Without the funding support to assist with the challenges of managing the higher volumes of compostable waste feedstock next year, the small businesses and economically challenged urban and rural farming communities will struggle. Please move forward with HB1070 for our environment and local economy.

Keith Losoya

A handwritten signature in black ink, appearing to read 'Keith Losoya', with a stylized flourish at the end.

Principal Partner  
Waste Neutral



# **Balt Sust Commn - HB1070 Onsite Compost.pdf**

Uploaded by: Miriam Avins

Position: FAV

BALTIMORE COMMISSION ON SUSTAINABILITY  
*People ♦ Planet ♦ Prosperity*

February 28, 2022

Delegate and Committee Chair Kumar Barve  
Members of the House Environment and Transportation Committee

RE: **Support** for HB1070, Solid Waste Disposal and Diversion and On–Farm  
Composting and Compost Use

Dear Chair Barve and Members of the House Environment and Transportation Committee,

We are writing in support of HB1070, Solid Waste Disposal and Diversion and On–Farm  
Composting and Compost Use.

The Baltimore Commission on Sustainability is a body appointed by the Mayor to oversee the  
creation and implementation of the Baltimore Sustainability Plan. The 2019 Baltimore  
Sustainability Plan addresses a wide range of social, economic and environmental goals for the  
City, and it does so through an equity lens.

The Baltimore Commission on Sustainability has a strong interest in the success of HB1070. The  
2019 Sustainability Plan is committed to Zero Waste. The support that HB1070 can provide will  
help the private sector contribute to the local infrastructure needed to divert food and other waste  
from our landfill and incinerator. This bill is important for racial equity in Baltimore in that it  
will build Baltimore City’s capacity to manage its waste without incineration, which adds to the  
disproportionate respiratory disease burden of the surrounding neighborhoods, and it can help  
entrepreneurs with less access to capital build businesses that respond to local needs.

We urge the Committee to support HB1070.

Sincerely,

Miriam Avins  
Mia Blom  
Co-chairs, Commission on Sustainability

Cc: Delegate Regina T. Boyce

**RTB Testimony HB 1070.pdf**

Uploaded by: Regina T. Boyce

Position: FAV

REGINA T. BOYCE  
Legislative District 43  
Baltimore City

Environment and  
Transportation Committee

Subcommittees  
Environment  
Motor Vehicle and Transportation



Annapolis Office  
The Maryland House of Delegates  
6 Bladen Street, Room 316  
Annapolis, Maryland 21401  
410-841-3476 · 301-858-3476  
800-492-7122 Ext. 3476  
Fax 410-841-3295 · 301-858-3295  
Regina.Boyce@house.state.md.us

THE MARYLAND HOUSE OF DELEGATES  
ANNAPOLIS, MARYLAND 21401

February 28, 2022

**RE: HB1070 – Solid Waste Disposal and Diversion and On-Farm Composting and Compost Use**

Chair, Vice Chair, and Members of the Environment and Transportation Committee,

For the record, I am Delegate Regina T. Boyce here to present HB1070-Solid Waste Disposal and Diversion and On-Farm Composting and Composting Use.

HB1070 establishes an On-Farm Composting and Compost Use Grant Fund as a special non-lapsing fund, **The Environmental Stewardship Fund**. The fund will support two programs: The Maryland Waste Diversion and the Maryland On-Farm Composting & Compost Use. The waste diversion program will provide grants to counties for support of local waste diversion methods and plans. The on-farm composting and compost use program will provide grants used to support farmers and community garden spaces with implementation and development of composting capacity.

The programs will be funded by applying a \$5 per-ton surcharge on waste disposal at refuse disposal facilities in Maryland.

Surcharge fees are not uncommon. There are 29 states that have landfill tipping surcharges. Specifically, **Pennsylvania, Ohio, New Jersey, Iowa, Indiana, Minnesota, and Wisconsin** have surcharges that go toward state programs. Fees across the country range from as little as \$.25 per cubic feet of uncompacted waste or tonnage to \$13 per ton. Surcharge fees has been established as far back as 1984.

HB 1070 builds on legislation passed in the 2021 session - **HB264 Solid Waste Management - Organics Recycling and Waste Diversion - Food Residuals** - by creating the needed capacity to manage the large amounts of diverted food from landfills and incinerators by using and strengthening our agricultural community to do so.

The EPA states that 30% of what we throw out is yard waste and food scraps. It is estimated one-third of food produced in the world is lost or wasted, equaling around 1.3 billion tons of food wasted. Further, this means that one-third of the resources used for food production were wasted as well. This is the reason HB1070 is important. It uses the same resources that throws away and manages trash to instead build the capacity to remove wasted and discarded food from the waste stream and placing them back into productive use.

I thank the committee for the time and consideration of HB1070 and urge a favorable report.

A handwritten signature in blue ink that reads "Regina T. Boyce".

Regina T. Boyce

**HB 1070\_CBF SUPPORT.pdf**

Uploaded by: Robin Jessica Clark

Position: FAV



# CHESAPEAKE BAY FOUNDATION

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*Environmental Protection and Restoration  
Environmental Education*

## **House Bill 1070**

Solid Waste Disposal and Diversion and On-Farm Composting and Compositing Use

Date: March 2, 2022

Position: Support

To: House Environment and Transportation Committee

From: Alan Girard, Eastern Shore Director

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Chesapeake Bay Foundation (CBF) **SUPPORTS** HB 1070, which establishes funding for projects that reduce the amount of waste burned and buried in incinerators and landfills through high-performing reduction, reuse, and composting initiatives.

The diversion of food waste from incinerators and landfills helps minimize the amount of carbon dioxide and methane released to the atmosphere by these traditional methods of waste management. Lower greenhouse gas emissions improve air quality, reduce impacts to human health, and increase resilience to the effects of climate change.

Well-managed composting of waste adds biologically rich material to soils, feeding essential micro-organisms and fungi that improve soil health and enhance production of healthy, nutritious food. Healthier soils increase water holding capacity, facilitate nutrient cycling, and reduce soil loss, minimizing risks to water quality and the Chesapeake Bay.

HB 1070 promotes on-farm composting and compost use through a nominal surcharge on waste disposed at landfills, incinerators, and waste transfer stations. More than \$30 million per year generated by the surcharge will be distributed statewide through grants that mobilize critical investment in waste prevention, reuse, repair, recycling, and composting.

This legislation will improve soil health, help fight the effects of climate change, and transition Maryland to more effective, equitable, and environmentally sound waste management.

**CBF urges a FAVORABLE report on HB 1070.** For more information, please contact Robin Clark, Maryland Staff Attorney at [rclark@cbf.org](mailto:rclark@cbf.org) and 443.995.8753.

Maryland Office • Philip Merrill Environmental Center • 6 Herndon Avenue • Annapolis • Maryland • 21403  
Phone (410) 268-8816 • Fax (410) 280-3513

The Chesapeake Bay Foundation (CBF) is a non-profit environmental education and advocacy organization dedicated to the restoration and protection of the Chesapeake Bay. With over 300,000 members and e-subscribers, including over 109,000 in Maryland alone, CBF works to educate the public and to protect the interest of the Chesapeake and its resources.

# **HB1070 Sign-On Testimony from ILSR.pdf**

Uploaded by: Sophia Jones

Position: FAV

**TESTIMONY TO THE MARYLAND HOUSE OF DELEGATES COMMITTEE ON  
ENVIRONMENT & TRANSPORTATION**

**HB1070 – Solid Waste Disposal and Diversion and On-Farm Composting and Compost Use**

**Position: Favorable**

**March 2, 2022 Public Hearing**

Sophia Jones, Policy Fellow, Composting for Community Initiative, [sjones@ilsr.org](mailto:sjones@ilsr.org)

Institute for Local Self-Reliance 1200 18th Street, NW, Suite 700, Washington, DC 20036

Dear Chairman Barve, Vice Chair Stein, and Members of the Committee,

The undersigned 21 organizations support HB1070 and encourage the committee to pass this bill. We thank Delegate Boyce for bringing this legislation forward to establish funds and grant programs to support waste diversion throughout the state of Maryland.

Maryland's stagnant recycling rate, severely underestimated greenhouse gas emissions from landfills, and shrinking landfill capacity, indicate the critical need for investment into waste reduction and diversion. Maryland has numerous policies supporting healthy soils, food waste recovery, recycling, and composting (e.g. HB 1063 on the Maryland Healthy Soils Program and HB 264 on Large Food Waste Generators in 2021) but funding for implementation and support is sorely lacking.

The Solid Waste Disposal and Diversion and On-Farm Composting and Compost Use Bill (HB 1070) will establish significant funding for waste diversion projects and infrastructure including reduction, reuse, repair, composting, recycling, and anti-dumping by incorporating a nominal surcharge on waste disposal.

In addition, the dedicated funding for on-farm composting and compost use would support Maryland farmers, not only with their own farm materials management, soil quality, and farm resilience, but also with contributing to cleaner Maryland watersheds, increased resilience to extreme weather, and stronger Maryland food systems.

This model is successful in numerous other states (such as New Jersey, Pennsylvania, Iowa, Ohio, Indiana, Minnesota, Wisconsin, and North Carolina) and has had positive impacts on their local communities, economies, and the environment. Why not in Maryland?

We urge the Committee to support HB1070 to advance waste diversion, build necessary infrastructure, and support local governments, small businesses, schools, farmers, and more in their efforts to divert waste from Maryland's polluting landfills and trash incinerators.



Sincerely,

[Blue Water Baltimore](#)  
[Cedar Lane Environmental Justice Ministry](#)  
[Chesapeake Bay Foundation](#)  
[Curtis Bay Community Association](#)  
[Echotopia LLC](#)  
[Fair Farms Maryland \(Waterkeepers Chesapeake\)](#)  
[Greenbelt Climate Action Network](#)  
[The Hobbit Restaurant / Go Green OC](#)  
[The Institute for Local Self-Reliance](#)  
[Kent Island Beach Cleanups](#)  
[Maryland Clean Water Action](#)  
[Maryland Campaign for Environmental Human Rights](#)  
[Maryland Horse Council](#)  
[Maryland Legislative Coalition](#)  
[MD-DC Compost Council](#)  
[MLC - Climate Justice Wing](#)  
[Natural Resources Defense Council](#)  
[Plantation Park Heights Urban Farm](#)  
[Possibility Farm](#)  
[Surfrider Foundation, D.C. Chapter](#)  
[Unitarian Universalist Legislative Ministry of Maryland](#)

**Attachment:**

ILSR Article, Feb. 2022, [Surcharges On Waste Disposal Fund Composting](#)

# **Surcharges On Waste Disposal Fund Composting – Ins**

Uploaded by: Sophia Jones

Position: FAV



# Surcharges On Waste Disposal Fund Composting

BY SOPHIA JONES | DATE: 4 FEB 2022 | [Facebook](#) [Twitter](#) [LinkedIn](#) [Email](#)

More than 42 million tons of food scraps are landfilled or burned in the US each year, as estimated by the EPA. One reason among many is lack of adequate funding to prevent, rescue, and recycle wasted food. According to ReFED, an annual investment of \$14 billion over the next ten years is needed to reduce current levels of wasted food. Such investment would result in \$73 billion in annual net financial benefit, cut greenhouse gas emissions by 75 million metric tons, save 4 trillion gallons of water, and recover the equivalent of 4 billion meals for those in need. ReFED's *Roadmap to 2030: Reducing U.S. Food Waste by 50%* outlines myriad solutions that governments, business, philanthropic funders, and other stakeholders can take to accelerate change. Financing these solutions via grants, low-cost capital, commercial project financing, and other funding mechanisms is critical.

One funding mechanism with a proven track record of raising funds to reduce and recycle waste is the establishment of a per-ton surcharge on waste landfilled or incinerated. A waste disposal surcharge is typically a fee added to the per-ton tipping fees charged for waste disposal at waste disposal sites. Some state and local governments levy waste disposal surcharges to solely support agency costs for solid waste facility licensing, permitting, registration or operation. Others use these per-ton surcharges to also support the establishment, expansion, and maintenance of recycling and composting projects.

This article features ten examples of existing regulations that allocate revenue from waste disposal surcharges to fund waste diversion, reuse, recycling, composting, and other sustainability efforts, and extracts best practices and possible roadblocks that may help to guide the development of new legislation to fund composting and divert waste.

COMPOSTING HOME PAGE

Composting Resources

## GET COMPOSTING UPDATES

\* indicates required  
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## TOP RESOURCES

### Hierarchy to Reduce Food Waste and Grow Community

Highlighting the importance of locally based composting solutions as a first priority over large-scale regional solutions.

### Posters: Compost Impacts More Than You Think

Learn how composting protects the soil and climate while creating jobs in our series of posters.

### Neighborhood Soil Rebuilders Composter Training Program

The NSR program trains community leaders to run composting projects that engage and serve their communities.

### Composting for Community Map

Our map provides an interactive illustration of how communities pursue locally based composting capacity and enterprises.

### Community Composting Webinars

## Does “Recycling” Include Composting?

In existing legislation, the term ‘recycling’ is often used broadly and includes composting, whether implicitly or explicitly. Recycling has a broad definition involving the process of transforming waste into (re)usable items, therefore composting, the process of transforming organic waste into a valuable soil amendment, is understood to be included in most definitions of recycling. Wisconsin is one state in which the absence of composting-specific language in the legislation actually restricts grant funds from being available for composting projects. This demonstrates the significance of specifying composting in addition to recycling where possible in order to emphasize its value as a waste diversion method.

## Examples of Existing Regulation

The ten frameworks featured here exhibit clear paths for funding to flow from disposal surcharge revenue to recycling and composting programs, projects, infrastructure, and education. Featured states include **New Jersey, Pennsylvania, Minnesota, Wisconsin, North Carolina, Iowa, Ohio,** and **Indiana.** **Alameda County** and **Santa Clara County** in California are also great examples of surcharge policies and waste diversion grant programs administered at the local level. While this article features states with surcharges that fund waste diversion, **other states** (e.g. Arizona, Illinois, Michigan, Mississippi, Colorado, West Virginia) have similar programs that may focus on more general waste management.

The overview tables below summarize key data of each state or local program. See our [Composting Rules Library](#) for more detailed descriptions of each policy.

| State/Local policy            | Surcharge Amount                         | Surcharge applies at: |              |                   | Designated fund  | Year Est. |
|-------------------------------|--|-----------------------|--------------|-------------------|--|-----------|
|                               |  | Landfills             | Incinerators | Transfer Stations |  |           |
| <b>New Jersey</b>             | \$3/ton Recycling Tax                    | X                     | X            | X                 | REA Recycling Tax Fund   | 2008      |
| <b>Pennsylvania</b>           | \$2/ton Recycling Fee                    | X                     | X            |                   | Recycling Fund   | 1998      |
|                               | \$0.25/ton Environmental Stewardship Fee | X                     |              |                   | Environmental Stewardship Fund   | 1999      |
|                               | \$4/ton Disposal Fee                     | X                     |              |                   | Environmental Stewardship Fund   | 2002      |
| <b>Minnesota</b>              | 9.75% (households) 17% (commercial)      | X                     | X            |                   | State Environmental Fund (70% of total)  | 1997      |
| <b>Wisconsin</b>              | \$13/ton                                 | X                     |              |                   | Environmental Management Account (\$9.64)  | 1999      |
| <b>Indiana</b>                | \$0.50/ton                               | X                     | X            |                   | Solid Waste Management Fund (50%); Recycling Promotion & Assistance Fund (50%)   | 1996      |
| <b>North Carolina</b>         | \$2/ton Disposal Tax                     | X                     |              | X                 | Hazardous sites cleanup fund (50%); General fund (12.5%)   | 2008      |
| <b>Iowa</b>                   | \$4.25/ton                               | X                     |              | X                 | Groundwater Protection Fund (Solid Waste Account)  | 1987      |
| <b>Ohio</b>                   | \$4.75/ton for MSW disposal              | X                     |              | X                 | Hazardous Waste Management and Cleanup funds (\$0.90); Waste Management Fund (\$0.75); Environmental Protection Fund (\$2.85); Soil and Water Conservation District Assistance Fund (\$0.25) | 1988      |
|                               | \$1.60/ton for C&D disposal              | X                     |              | X                 | Soil and Water Conservation District Assistance Fund (\$0.25); Recycling and Litter Prevention Fund (\$0.75)   | 1988      |
| <b>Alameda County, CA</b>     | \$4.34/ton AB 939 Implementation Fee     | X                     | X            |                   | General Fund   | 1989      |
|                               | \$8.23/ton “Measure D” Surcharge         | X                     | X            |                   | Recycling Fund   | 1990      |
| <b>Santa Clara County, CA</b> | \$0.78/ton Solid Waste Planning Fee      | X                     | X            | X                 | Recycling and Waste Reduction Fund   | 1984      |
|                               | \$4.10/ton AB 939 Implementation Fee     | X                     | X            | X                 | General Fund   | 1992      |

Table 1: Overview of Disposal Surcharges

Source: [ILSR 2022](#)

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Our podcast brings you stories from the people doing this work on the ground and in the soil.

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#### Policy Library

Our library of local, state, and federal policies on composting and community development.

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**Through Pedal-Power, Community Composters Cultivate Deeper Connections with their Community**



**Composting Connects Black and Latinx Youth to their Roots**



**Compost Helps Local Farm Build Healthy Soils & Feed Their Community (feat. Moon Valley Farm)**



**Implementing COVID-19 Safety Protocols for Food Scrap Drop-Off: Spotlight on the Community Compost Depot at Frey Gardens in Providence**



**ILSR's Community Composting Work Featured in Short Film**

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| State/County           | Annual Surcharge Revenue (data year)                          | Grant Program Administrator       |
|------------------------|---|-----------------------------------|
| New Jersey             | \$29 million (2018)   | Dept. of Environmental Protection |
| Pennsylvania           | \$105-112 million (2021)                                      | Dept. of Environmental Protection |
| Minnesota              | \$90 million (2021)   | Pollution Control Agency          |
| Wisconsin              | \$56 million (2019-2020)                                      | Dept. of Natural Resources        |
| Indiana                | \$4.86 million (2020)   | Dept. of Environmental Management |
| North Carolina         | \$23 million (FY 2020-2021)                                   | Dept. of Environmental Quality    |
| Iowa                   | \$8 million (2020)  | Dept. of Natural Resources        |
| Ohio                   | \$69.8 million (MSW); \$8.4 million (C&DD) (2021)             | Environmental Protection Agency   |
| Alameda County, CA     | \$9.7 million (2021)  | StopWaste                         |
| Santa Clara County, CA | \$1.3 million (\$0.78 fee); \$1.6 million (\$4.34 fee) (2021) | Santa Clara County                |

Table 2: Disposal Surcharge Revenue and Administration

Source: ILSR 2022

| State/County           | Grants to Local Governments?  | Other Grants (To Whom?)  | Other Environmental Programs  |
|------------------------|---|--|---|
| New Jersey             | Yes - counties and municipalities                                   | Recycling Enhancement Higher Education Research Grants (higher education institutions)                         | No  |
| Pennsylvania           | Yes - counties and municipalities                                   | Growing Greener Plus Grants (various entities); Food Recovery Infrastructure Grant (nonprofits)                | Preserving and conserving farmland, open space, water quality, and outdoor recreation |
| Minnesota              | Yes - counties  | No   | Landfill cleanups and environmental monitoring  |
| Wisconsin              | Yes - counties, municipalities, and recognized Indian tribes        | No   | Land cleanup and remediation, contaminated well cleanups, groundwater management      |
| Indiana                | Yes - counties and municipalities                                   | Community Recycling Grant Program and Recycling Market Development Grants (various entities)                   | No  |
| North Carolina         | Yes - counties and cities   | No   | Hazardous sites cleanup   |
| Iowa                   | Planning Areas may retain a portion of the tonnage fee              | Solid Waste Alternatives Program (various entities); Environmental Management Systems Program (planning areas) | Water quality improvement, greenhouse gas reduction, environmental education          |
| Ohio                   | Local government units are eligible to apply for competitive grants | Recycling and Litter Prevention Grant Program (various entities)   | Litter prevention and cleanup, assistance for soil and water conservation districts   |
| Alameda County, CA     | Yes - municipalities  | Waste Prevention Grant Programs (nonprofits and businesses)  | Carbon farm planning, sustainable landscaping, energy efficiency programs             |
| Santa Clara County, CA | Yes - municipalities  | No   | No  |

Table 3: Overview of Grant Programs

Source: ILSR 2022

In general, waste haulers pay the disposal surcharges at the disposal site. In the unique case of **Minnesota**, the surcharge is collected at the generator-level; households and businesses are billed directly based on waste generated (Table 1). Surcharge collection and resulting grant programs are typically administered by the state or local government’s designated environmental agency (Table 2). As shown in

local governments for waste diversion. Some also use surcharge revenue to administer competitive grants for waste diversion projects by various non-government entities such as academic institutions, nonprofits, for-profit businesses, and other organizations. Another way that states and counties use surcharge revenue is to fund other environmental programs such as land conservation and remediation, water quality management, litter prevention and cleanup, greenhouse gas reduction, and environmental education.

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### Investment and impact on in-state waste diversion

These surcharge-funded grant programs have each provided significant investment into waste diversion programs and infrastructure, demonstrating tangible impact on waste reduction, reuse, recycling, and composting. In Indiana, 2020 grant awards from both the **Community Recycling Grant Program** and the **Recycling Market Development Program** totaled over \$1.8 million, efforts which created up to 47 new jobs and increased the amount of recycled materials by almost 85,000 tons. In Minnesota, **SCORE grants** to counties provide support for county compliance with the state-mandated 35%-minimum recycling rate, with 50% of the grant funds to be used for organics recycling programs. Iowa's **Solid Waste Alternatives Program (SWAP)** provides financial assistance to various projects including community **education and training on composting**, on-campus **food waste composting program**, a **concrete pad** for school waste composting, and **purchase and use of compost spreaders** to encourage lawn application of compost. Also, Iowa's **Food Storage Capacity Grant Initiative** awarded over \$400,000 to 80 entities in 2020 and 2021 to expand food storage capacity and avoid wasted food.

On the East Coast, New Jersey's DEP awarded **\$16 million in grants** to fund municipal and county recycling programs in 2021. And, in 2020, Pennsylvania's **Food Recovery Infrastructure Grant** provided \$9.6 million to 145 projects focused on diverting edible food waste from landfills, rescuing almost 1 million pounds of food from landfills, distributing edible food to over 25,000 Pennsylvania residents over the course of the year. At the local level, StopWaste **Waste Prevention Grants** in Alameda County allocated over \$580,000 in 2021 to local nonprofits and businesses for waste reduction and diversion, in addition to allocating almost \$5 million to municipalities for municipal recycling program expansion. These examples illustrate the wide array of projects that can be supported by waste disposal surcharges. They demonstrate concrete and widespread impact on not only waste diversion projects and infrastructure, such as for composting, but also on the economy by empowering small businesses, creating jobs, strengthening communities, and building the circular economy.

### Beyond waste diversion

Some states extend their investment of waste surcharge revenue beyond waste diversion to include support for other environmental programs. Many use funds to address litter control and land remediation, such as Pennsylvania's Growing Greener Plus watershed restoration and mining reclamation projects, North Carolina's cleanups of hazardous sites, Wisconsin's land cleanup and remediation programs, Minnesota's landfill cleanup and environmental monitoring, and Ohio's litter prevention and cleanup projects.

Other examples of environmental programs supported by disposal surcharge revenue include Alameda County's support for carbon farm planning, sustainable landscaping, and energy efficiency programs, Ohio's \$8-9 million in annual **operational grants** to Ohio Soil and Water Conservation Districts, and Iowa's **Solid Waste Environmental Management System Program**, which allows local solid waste planning areas to participate in training and technical assistance for continuous improvement in six environmental program areas, ranging from recycling to water quality improvements to greenhouse gas reduction, incentivized by a reduced waste disposal surcharge rate. These states provide examples of how

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supporting environmental projects using surcharge revenue can extend this funding mechanism beyond the polluter pays principle, with further reinvestment into environmental conservation, regeneration, and sustainability.

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## Lessons Learned: Using Surcharges to Fund Waste Diversion

Each disposal surcharge policy and its relationship to recycling, composting, and other environmental efforts is unique, with its own pros and cons. These surcharges serve as a self-funding mechanism to both build recycling infrastructure and disincentivize waste disposal in landfills. This is a major incentive to pass laws like this for other states and localities that experience lack of funding as a hindering factor for the passage or long-term success of sustainability-related legislation. With more funds allocated to waste diversion efforts, diversion rates should improve. According to a [2021 report](#) by Eunomia, the states featured here all boast recycling rates ranking in the top 3/5 of states, with four of them in the top 1/5.

Furthermore, supplementing fees on waste disposal with incentives to reduce and recycle waste encourages a transition from disposal habits toward behavior that prioritize reduction and diversion. A [2015 study](#) on landfill tipping fees found that higher per-ton tipping fees at landfills correlate with lower percentages of total generated solid waste that is landfilled (see Figure 1). Provision of accessible incentives to reduce and divert waste paves a clearer direction for the efforts of households, businesses, waste facilities, and communities toward greater reduction and diversion.

Figure 1: U.S. State Tipping Fees and Landfilled Percentage  
Source: [Landfill Tipping Fees in California](#) (CalRecycle 2015)

Based on ILSR’s analysis and comparison of various policies, we note the following considerations for others interested in constructing similar policies:

- [Having a designated fund](#) that collects revenue from the surcharge ensures commitment of funds to composting/recycling efforts. [Protecting and responsibly managing the revenue](#) is imperative in order to avoid unnecessary fund diversion, as observed with [Pennsylvania’s](#) Environmental Stewardship and Recycling Funds. Responsible management should ensure that funding is targeted at appropriate environmental and sustainability efforts, from compost and recycling infrastructure, to education efforts, to community composting projects. The fund may also receive [funding from other sources \(e.g. direct donations\)](#).

- Ensuring the funding and resulting recycling/composting/waste reduction efforts are directed locally, toward the same communities that the surcharge affects. This will encourage maximum waste diversion and ensure that those potentially affected by higher waste disposal fees have access to alternatives to waste disposal as well as resources and education.
- Ensuring that waste generators (e.g. businesses, households, commercial facilities) are aware of and educated on the surcharges so that they are incentivized to reduce their waste disposal and are able to negotiate with their waste haulers for lower trash disposal fees (as they reduce and recycle more waste). Education by local and state governments is critical.
- Ensuring that grants are accessible to smaller, community-scale projects can help to ensure a wide and distributed investment in waste diversion infrastructure and support. This looks like ensuring that a variety of applicants are eligible to apply for financial assistance, having a simple and streamlined application process, and providing equitable priority factors.

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## Potential Roadblocks

A potential issue on the financing front is that, if generators successfully reduce the amount of waste sent to landfills, revenues from per-ton disposal surcharges will decline over time. This is exemplified by the City of San Jose, which has charged a **disposal facility tax** of \$13 per ton since 1992. Revenue data from 2002-2013 shows a steady decline in annual revenue from the tax (from \$16.3 million in 2002-2003, to \$10.7 million in 2012-2013) as annual landfill disposal tonnage decreased. However, recent landfill disposal has increased with higher waste generation levels and population growth, creating a steady annual revenue of \$12-13 million per year since 2013. Ideally, waste reduction and diversion efforts would yield consistent reductions in waste disposal rates, resulting in lower annual revenue year-to-year given a consistent per-ton surcharge rate.

One way to mitigate this effect is to implement a surcharge or fee that increases every few years, both disincentivizing waste disposal in favor of reduction or recycling and maintaining the revenue flowing in to ensure continued funding to recycling and composting projects and infrastructure. Alternatively, legislative text might include a clear mechanism for reviewing and updating the surcharge or fee, as exemplified by **Alameda County** and Ohio's Soil and Water Management District waste generation fees.

Other issues associated with increased costs of disposal may arise. For example, while passing off costs to individual, household, and business waste generators can disincentivize wasteful habits of waste generators, not all individuals have the means to pay for the costs of waste production in a society that doesn't necessarily give them options other than to produce said waste. There should be a certain level of responsibility on organizations and governments to support restorative and sustainable projects and practices in addition to paying the appropriate costs for waste disposal.

Another challenge concerning some communities is illegal dumping. Concerns that even slightly higher costs associated with waste disposal would exacerbate illegal dumping may hinder the establishment of a waste disposal surcharge. In this case, it is important that revenue from the surcharge is being managed responsibly and in part directed toward community-oriented efforts that will address and mitigate illegal dumping. This may include expanding capacity for waste management, expanding waste reduction and diversion programs to make reuse/recycling/composting more accessible, litter cleanup and maintenance efforts, and providing education and technical assistance. Ideally, with greater education, litter prevention capacity, and community support for and access to waste diversion and reduction options, the benefits of a waste disposal surcharge on illegal dumping issues will outpace and eliminate any potential exacerbation of the problem.



## Conclusions

Waste disposal tipping fees are in place to support and maintain waste disposal systems. Adding a surcharge to existing tipping fees is one successful mechanism to fund solutions to the burn-and-bury paradigm. Waste disposal surcharges penalize “the bad,” while incentivizing “the good.” The state and local examples featured in this article demonstrate the viability of this funding method to support a wide range of needed solutions from food rescue, to public recycling and organics collection services, to pollution prevention, to farmland and watershed preservation. The present widespread adoption of and **consistent increases** in disposal site tipping fees indicate that tipping fees are here to stay. Why not utilize a surcharge to direct revenue toward building alternatives to waste disposal systems?

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## More Information

Watch our webinar “Funding Recycling Infrastructure via Disposal Surcharges”, as part of the **Recycling Is Infrastructure Too Campaign**, to learn more! It features a panel of state agency representatives from Pennsylvania, Wisconsin, Iowa, and North Carolina.

- ILSR Composting Rules Library – **Waste Surcharges to Fund Composting and More**
- Carton Council – “Using Disposal Surcharges as a Funding Mechanism to Support Recycling Programs”
- EPA – “State Funding Mechanisms for Solid Waste Disposal and Recycling Programs”
- National Conference of State Legislatures – “States with Landfill Tipping Surcharges”

*Featured image: Surcharges on disposal can help invest in local composting efforts that empower local communities, build circular economies, and protect the environment. Credit: iStock by Getty Images*



community composting, compost infrastructure, composting, disposal, featured, homepage feature, initiative feature, policy, Waste surcharges

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#### Sophia Jones

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Sophia Jones is a Policy Fellow with ILSR's Composting for Community initiative, where she researches, analyzes and supports the building of US policy that advances local composting. Her background in sustainable development and agriculture reflects her interest in solutions-based, community-led development initiatives.

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**220224 LOS HB 1070 signed.pdf**

Uploaded by: Terry Hale

Position: FAV

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Councilman Al Miller, District 3

Councilwoman Donna Culberson, District 4



James Massey  
Council Manager

County Council Office  
410.996.5201  
Fax: 800-865-0587

**COUNTY COUNCIL OF CECIL COUNTY**  
200 Chesapeake Blvd, Elkton Maryland 21921

February 24, 2022

The Hon. Kumar P. Barve, Chair  
House Environment and Transportation Committee  
Room 251  
House Office Building  
Annapolis, MD 21401

RE: HB 1070 Solid Waste Disposal and Diversions and On-Farm Composting and  
Compost Use  
Letter of Support

Dear Chairperson Barve and Members of the Environment and Transportation Committee:

The County Council of Cecil County unanimously supports HB 1070 Solid Waste Disposal and Diversions and On-Farm Composting and Compost Use, which has been scheduled for a committee hearing on March 2, 2022.

This legislation proposes to establish the On-Farm Composting and Compost Use Grant Fund, which will encourage solid waste disposal facilities to seek out farms for composting of waste. Several public schools in Cecil County collect their cafeteria waste and transport to an area farm that uses a bio-digester to convert this into compost. This method can reduce overall waste in landfills and encourage similar recycling with agriculture.

The Cecil County Council respectfully requests that the Environment and Transportation Committee consider a favorable report on HB 1070.

Sincerely;

  
Robert Meffley  
Council President

Copy: Cecil County Delegation

# **NRDC Testimony for HB1070.pdf**

Uploaded by: Yvette Cabrera

Position: FAV

Good afternoon, Chair Barve and Vice Chair Stein. And thank you to Delegate Boyce for her leadership on this topic. My name is Yvette Cabrera and I'm the Director of Food Waste at NRDC, the Natural Resources Defense Council, an organization of some 700 scientists, lawyers, and advocates with the power of more than three million members. NRDC has had the honor of being a partner in and witness to Maryland becoming a national leader on waste and sustainability.

NRDC is testifying today in support of HB1070 because better food and waste management is key to combatting climate change, protecting our natural resources, and supporting thriving communities. Solutions to our waste problem exist, but they need support to be successful.

Waste is the reason we have landfills and incinerators – polluting facilities that cause massive environmental injustices and are predominantly located in low-income communities and on Indigenous lands. When we landfill materials that could have been composted or recycled, we waste all the embedded resources in those materials; and when we landfill organics like food waste, we create methane, a climate pollutant up to 80 times more potent than carbon dioxide.

This legislation and the resulting two grant programs would help on a myriad of fronts:

- They would boost programs that enable waste prevention – the best way to reduce the problems associated with waste is to not create the waste in the first place, and especially to not landfill or incinerate useful materials.
- They would bolster reuse programs and support food rescue activities – with food insecurity on the rise, we must ensure that we are rescuing and redistributing as much surplus food as possible.
- They would support recycling, and very important to NRDC, the recycling of food scraps to create compost and put nutrients back into our soils.

Composting and other types of recycling create more jobs than landfills or incinerators, and Baltimore's community compost programs are a great example of how composting can achieve not only environmental, but social and economic benefits as well. Maryland has many wonderful composting efforts underway, and this grant funding would help programs like these continue and expand.

We hope you will support HB1070, a critical step in increasing the diversion of useful materials from landfills and incinerators and in supporting local communities through maximizing the use of valuable resources, reducing pollution, and creating jobs.

**HB1070-ET\_MACo\_SWA.pdf**

Uploaded by: Dominic Butchko

Position: FWA



## House Bill 1070

### *Solid Waste Disposal and Diversion and On-Farm Composting and Compost Use*

MACo Position: **SUPPORT**  
**WITH AMENDMENTS**

To: Environment and Transportation  
Committee

Date: March 2, 2022

From: Dominic J. Butchko

The Maryland Association of Counties (MACo) **SUPPORTS** HB 1070 **WITH AMENDMENTS**. The bill would create several grant funds to encourage composting, environmental stewardship, and recycling.

Addressing the seriousness of climate change will require bold investments in new solutions around many of our public services. How to handle waste in the future looms as one of the most prominent questions. HB 1070 would seek to invest in new programs meant to address how counties take waste and turn this liability into a resource. Most of the proposed grant programs reduce waste from the food supply and divert food waste to be reused in food production. Counties praise the vision of HB 1070 but have concerns about the proposed funding mechanism for the proposed programs.

Counties recognize the necessity of investing in new environmental technologies and methods to mitigate the adverse effects of climate change. HB 1070 advances these goals by establishing grant funds for counties to access. Funding for these new programs will come from a newly established Solid Waste Disposal Surcharge. This surcharge of \$5 per ton will be levied on owners or operators of refuse disposal facilities, which effectively translates to counties. Instead of using a new pool of resources to make meaningful change, this funding mechanism will draw on already constrained resources from the counties and into these funds.

The vast majority of HB 1070 supports innovation in local waste management. Unfortunately, the proposed surcharge could drastically cut the effectiveness of county resources and significantly reduce the impact of the bill. Counties ask for a reconsideration of the fee structure so that the needed funds aren't taken from already limited county resources. Accordingly, MACo urges the Committee to give HB 1070 a **FAVORABLE WITH AMENDMENTS** report.



**HB 1070 - MoCo\_Mathias\_SWA (GA 22).pdf**

Uploaded by: Jason Mathias

Position: FWA



# Montgomery County

## Office of Intergovernmental Relations

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ROCKVILLE: 240-777-6550

ANNAPOLIS: 240-777-8270

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**HB 1070**

**DATE: March 2, 2022**

**SPONSOR: Delegate Boyce**

**ASSIGNED TO: Environment and Transportation**

**CONTACT PERSON: Jason Mathias (jason.mathias@montgomerycountymd.gov)**

**POSITION: Support with Amendment (Montgomery County Department of Environmental Protection)**

---

### **Solid Waste Disposal and Diversion and On-Farm Composting and Compost Use**

House Bill 1070 proposes a new surcharge on waste disposal facilities in the State to be used to fund on-farm composting and other compost training. The Montgomery County Department of Environmental Protection (MCDEP) supports this legislation with amendment.

MCDEP supports the intent of this legislation, which is to encourage, through grants, an increase to on-farm composting, including food waste composting. The County published a strategic plan to advance composting, compost use, and food scraps diversion in 2018. We encourage composting and we are implementing many of the actions in this strategic plan. The County's Office of Agriculture works with individual farmers to develop on-farm composting. As we expand our curbside pickup of food waste program, we understand the need to have multiple options for food waste composting available.

The proposed legislation requires a solid waste disposal surcharge (\$5/ton) be paid by the owner or operator of a refuse disposal facility in the State as the funding mechanism for the grant programs. The County processes approximately 600,000 tons of trash annually. This charge would be approximately \$3 million per year for the County. The County has a solid waste system benefit charge which is a user fee charged to each user of the County's solid waste system. It is a fee for service and the governing law and regulations require it to be self-sustaining and based on full cost recovery. The surcharge proposed by this legislation may not be an allowable use of the charges and may have a negative impact on our ratepayers.

While we support the growth of on-farm composting, developing and implementing the grant mechanism may prove challenging for Montgomery County and may increase the charges we impose on our rate payers. *Therefore, we request that House Bill 1070 be amended to remove the \$5/ton fee to be paid by the owner or operator of a refuse disposal facility.*

The Montgomery County Department of Environmental Protection respectfully urges the Committee to act favorably with the inclusion of this amendment on House Bill 1070.

# **HB1070 - Solid Waste Disposal Tax - LOO.pdf**

Uploaded by: Kaleigh Leager

Position: UNF



CAROLINE COUNTY  
*you belong here*  
CAROLINE COUNTY COMMISSIONERS OFFICE

LARRY C. PORTER, PRESIDENT  
DANIEL J. FRANKLIN, VICE PRESIDENT  
WILBUR LEVENGOOD, JR., COMMISSIONER  
109 Market Street, Room 123  
Denton, Maryland 21629

**House Bill 1070**

Solid Waster Disposal and Diversion and On-Farm Composting and Compost Use

Position: **OPPOSE**

Date: February 25, 2022

To: Environment and Transportation Committee

The Caroline County Commissioners **OPPOSE** HB 1070, Solid Waste Disposal and Diversion and On-Farm Composting and Compost Use. This bill establishes an additional operating cost (tax) on solid waste refuse facilities to fund composting facilities throughout the State. With the \$5 per ton tax on solid waste, the cost of running the facility will increase, thus increasing the costs for the facility users.

Caroline County is the current location of the Mid-Shore II Regional Solid Waste Facility which serves the citizens of the region, encompassing Kent, Talbot, Queen Anne's, and Caroline Counties. Every 20 years, a County within the membership hosts the landfill for all 4 Counties to utilize. While we encourage environmental responsibility and stewardship, the Caroline County Commissioners oppose legislation that imposes new taxes on services that are funded by the Counties and their citizens in the membership operation. With this, we respectfully request an unfavorable report on House Bill 1070.

Sincerely,

Larry Porter  
President  
Caroline County Commissioners

# **HB1070\_UNF\_NWRA\_Solid Waste Disp. and Div. & On-Fa**

Uploaded by: Pam Kasemeyer

Position: UNF

**Maryland-Delaware Solid Waste Association**

a chapter of the

**National  
Waste & Recycling  
Association<sup>SM</sup>**

Collect. Recycle. Innovate.

TO: The Honorable Kumar P. Barve, Chair  
Members, House Environment and Transportation Committee  
The Honorable Regina T. Boyce

FROM: Pamela Metz Kasemeyer  
J. Steven Wise  
Danna L. Kauffman

DATE: March 2, 2022

RE: **OPPOSE** – House Bill 1070 – *Solid Waste Disposal and Diversion and On-Farm Composting and Compost Use*

---

The Maryland Delaware Solid Waste Association (MDSWA), a chapter of the National Waste and Recycling Association, is a trade association representing the private solid waste industry in the State of Maryland. Its membership includes hauling and collection companies, processing and recycling facilities, transfer stations, and disposal facilities. MDSWA and its members **oppose** House Bill 1070.

House Bill 1070 proposes to establish an On-Farm Composting and Compost Use Grant Fund and an Environmental Stewardship Fund, which are funded by imposing a disposal surcharge of \$5 per ton to be paid by refuse disposal facilities. The On-Farm Composting Fund will be utilized to provide grants for a variety of objectives related to On-Farm Composting and compost use. The Environmental Stewardship Fund will be utilized for a variety of purposes, including grants to various entities to address waste reduction, recycling, composting, illegal dumping, and other related waste management objectives.

While MDSWA does not object to the intent of this legislation, which is to address various aspects of waste disposal, recycling, and composting continuum that could be enhanced, incentivized, or managed differently. However, many of the issues the bill proposes to address through grant programs cannot be resolved by a simple grant program, nor are they related to lack of funding per se. Furthermore, all of the municipal solid waste landfills in the State are publicly owned and operated and many of the other waste facilities, such as transfer stations and material recovery facilities are a mix of both public and private ownership and operation. Applying a disposal surcharge on these facilities in order for them to be a possible grantee from one of the programs will not produce the intended outcome and in fact will likely lead to unintended consequences that undermine the objectives of the legislation. Increased disposal fees will lead to more out of state waste disposal; higher collection rates and transportation costs, which will be passed down to the consumers and businesses; and will further challenge the efficient and effective operation of the State's current recycling facilities as they seek to manage market volatility and work to increase the effectiveness of their material processing functions.

Finally, MDSWA is very supportive of on-farm composting and enhancing the use of compost. However, the biggest challenge to expanded composting in the State is the barriers to the development of commercial grade composting facilities capable of accepting large volumes of compostable materials. To date, facility development is hampered by zoning restrictions and facility siting objections by affected communities. These barriers must be addressed if the State is to have sufficient compost infrastructure to meet demand. Unfortunately, on-farm composting does not offer the potential capacity to meet the State's needs. For the reasons stated, MDSWA, while acknowledging the sponsor for her notable objectives, must respectfully request an unfavorable report.

**For more information call:**

Pamela Metz Kasemeyer

J. Steven Wise

Danna L. Kauffman

410-244-7000