

Chapter 384

(House Bill 171)

AN ACT concerning

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

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

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

(a) The Department of the Environment shall:

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

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

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

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

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

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

(i) a decentralized and diverse infrastructure; and

(ii) the prevention of organic waste generation;

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

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

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

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

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

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

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

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

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

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

(1) the Department of Agriculture;

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

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

- ~~(3)~~ ~~(4)~~ (3) the Maryland Environmental Service;
- ~~(4)~~ ~~(5)~~ (4) the MD–DC Compost Council;
- ~~(5)~~ ~~(6)~~ (5) the American Biogas Council;
- ~~(6)~~ ~~(7)~~ (6) the Restaurant Association of Maryland;
- ~~(7)~~ ~~(8)~~ (7) the Maryland Retailers Association;
- ~~(8)~~ ~~(9)~~ (8) the Maryland Food Bank;
- ~~(9)~~ ~~(10)~~ (9) the Institute for Local Self–Reliance;
- ~~(10)~~ ~~(11)~~ (10) the Maryland Recycling Network;
- ~~(11)~~ ~~(12)~~ (11) the Maryland Farm Bureau;
- ~~(12)~~ ~~(13)~~ (12) the Maryland–Delaware Solid Waste Association;
- ~~(13)~~ ~~(14)~~ (13) the Chesapeake Foodshed Network;
- ~~(14)~~ ~~(15)~~ (14) the Maryland Horse Council;
- ~~(15)~~ ~~(16)~~ (15) the Johns Hopkins University Center for a Livable Future;
- ~~(16)~~ ~~(17)~~ (16) the Future Harvest/Chesapeake Alliance for Sustainable Agriculture;
- ~~(17)~~ ~~(18)~~ (17) the Maryland Association of Counties;
- ~~(18)~~ ~~(19)~~ (18) the Maryland Municipal League; ~~and~~
- ~~(19)~~ ~~(20)~~ (19) the Chesapeake Sustainable Business Council;
- ~~(20)~~ ~~(21)~~ (20) the University of Maryland, College Park;
- ~~(21)~~ ~~(22)~~ (21) the Chesapeake Bay Foundation;
- ~~(22)~~ ~~(23)~~ (22) the Food Waste *Reduction* Alliance;
- ~~(23)~~ ~~(24)~~ (23) other environmental organizations; and
- ~~(19)~~ ~~(24)~~ ~~(25)~~ (24) a private business based in the State that provides food waste collection services.

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

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

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

Approved by the Governor, May 4, 2017.