

Bill Title: Senate Bill 493, Solid Waste Management - Organics Recycling and Waste Diversion - Food Residuals
Committee: Education, Health & Environment
Date: February 10, 2021
Position: Favorable

This testimony is offered on behalf of Bioenergy Devco (BDC). BDC is an industry leading developer of anaerobic digestion facilities, with 20-years of global experience. BDC guarantees performance of the 220 facilities it has developed and the more than 150 plants it operates worldwide, BDC's utility-grade anaerobic digestion is an environmentally sound process that creates a true source of renewable, carbon-negative energy for pipeline and vehicle use. Our qualified team of engineers, biologists, chemists, agronomists, designers, and marketing experts offers expertise in service, consultation and biological support for long term success. We are proud to have Maryland as BDC's United States headquarters.

This bill defines "food residuals" and requires that within a 30 mile radius, beginning January 1, 2023 a generator that produces 2 tons a week must take the waste to an organics recycling facility. The tonnage requirement for waste diversion reduces to one ton on or after January 1, 2024.

The Maryland Department of the Environment estimates that Maryland food manufacturers and processors produce up to 998,630 tons of excess food waste per year. Most reports suggest that between 30%-40% of food is wasted along the supply chain, from processing through in-home and dining-out consumption. Only 5% of food waste is currently diverted to compost or anaerobic digestion (AD) facilities. As a result, food waste is typically the first or second largest component of the municipal solid waste stream. Excess organic waste is typically disposed of through unsustainable means such as incineration, crowded landfills, or worst of all, left to pollute local communities. Disruption in the supply chain and related food waste disposal challenges brought on by the Covid-19 pandemic have highlighted the urgent need for robust organics recycling infrastructure.

The issue of food waste has significant impacts on the environment, the economy, and on food insecurity. As awareness of the problem has grown, federal, state, and local governments have explored policy avenues to reduce and manage food waste. On the state level, California, Connecticut, Massachusetts, Rhode Island, Vermont, New York and New Jersey have passed laws related to diverting food waste from landfills. Promoting organic recycling infrastructure, like anaerobic digestion, allows waste to be repurposed into truly renewable natural gas and organic soil amendment to improve the soil, water and air quality of our communities.

While there are valid concerns related to possible impacts on waste disposal fees, it is important to highlight that in states where this legislation has been implemented, more organic recycling infrastructure has been built out to meet demand and offset fee increases for haulers, business owners and consumers. A recent report published by the Harvard Law School Food Law and Policy Clinic emphasized the importance of creating networks of smaller processing facilities in geographically dispersed locations to

reduce impacts on the cost of hauling. We would welcome input from EPA Region 3(Mid-Atlantic) representatives and other relevant regulatory bodies to ensure successful implementation of this legislation.

For these reasons, we respectfully request a **favorable report on Senate Bill 493**.

For additional information, please contact Aaron Greenfield at 410.446.1992