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Committee: Environment and Transportation

Testimony on: HB264 “Solid Waste Management - Organics Recycling and Waste Diversion -- Food Residuals”

Position: Support

Hearing Date: January 27, 2021

The Maryland Chapter of the Sierra Club strongly supports HB 264. This bill will produce many environmental and economic benefits related to diversion of food residuals, increased food donation, and production and use of compost. Large-scale generators of food waste located within 30 miles of an organics recycling facility would have to separate and divert their food residuals by donating servable food, managing the food residuals in an on-site system, providing the residuals for agricultural use, and/or delivering the food residuals to an organics recycling facility for composting or anaerobic digestion. The organics recycling facility must be willing and able to accept and process food residuals by composting or anaerobic digestion.

The many environmental and economic benefits of this bill for our state include:

- **Diverting organic waste from landfills and incinerators.** The 2016 Maryland Waste Characterization Study found that food waste is the most prevalent material in the state’s municipal landfills – nearly 18% of municipal solid waste (MSW) by weight – and that approximately 30% of MSW overall is compostable and divertable.¹ Landfill space in Maryland is already in critically short supply, with existing capacity to last 31 years.² Diversion of food waste will reduce costs to counties and taxpayers for waste disposal and conserve space in landfills for waste that cannot be diverted.
- **Contributing to reaching Maryland’s Zero Waste food scrap goals of 60% diversion by 2025, 70% diversion by 2030, and 90% diversion by 2040.**³ To achieve these targets, the state’s Zero Waste Plan advocates for increasing food donation, promoting compost use, and phasing in a food scrap disposal ban in commercial and institutional organizations – all of which are promoted by this bill.
- **Reducing future methane emissions from anaerobic decomposition of food waste in landfills.** When organic matter such as food residuals decomposes anaerobically in a tightly compacted landfill, it releases methane, a greenhouse gas many times more potent than carbon dioxide.
- **Promoting food donation for humans and livestock.** Donating servable food would supplement local food pantries. In Vermont, which enacted a similar law in 2014, “food rescue” nearly tripled at local food banks by 2017.⁴ Diversion of food waste for animal feed further reduces the environmental impacts of growing crops for animal feed.

¹ MSW Consultants. 2017. “2016 Maryland Statewide Waste Characterization Study: Final Report.” MDE, July. Figure ES-3.

² Department of Legislative Services, Office of Policy Analysis. 2017. “Solid Waste Management and Recycling in Maryland.” Annapolis, Maryland. p. vii. (<http://dls.maryland.gov/pubs/prod/NatRes/January-2017-Waste-Management-in-Maryland.pdf>)

³ Maryland Department of the Environment (MDE). 2014. “Zero Waste Maryland: Maryland’s Plan to Reduce, Reuse, and Recycle Nearly All Waste Generated in Maryland by 2040.” December.

⁴ Vermont Agency of Natural Resources, Department of Environmental Conservation . 2019. “Vermont’s Universal Recycling Law – Status Report.” January.

Founded in 1892, the Sierra Club is America’s oldest and largest grassroots environmental organization. The Maryland Chapter has over 75,000 members and supporters, and the Sierra Club nationwide has over 800,000 members and nearly four million supporters.

- **Conserving resources and increasing the use of compost, a valuable soil amendment for gardeners and local farmers.** Compost from diverted food waste is a valuable resource and an opportunity for farmers to reduce their reliance on chemical fertilizers that pollute air and water and are a petroleum product requiring energy to produce. At the Prince George’s County Organics Composting Facility in Upper Marlboro – the largest food waste composting facility on the East Coast – Leafgro Gold, a soil amendment made from composted food waste, is in great demand for both gardening and agricultural applications. The product is used locally and in neighboring states (Pennsylvania and Virginia).
- **Creating green businesses and jobs by incentivizing investment in food waste recycling facilities statewide.** During a phase-in period, the largest generators of food waste (over two tons of food per week) are the first to be required to divert their food residuals; businesses that generate over one ton of food waste per week are required to divert their residuals by 2024. These staggered dates for enforcement allow time for businesses to adjust operations and for the organics recycling industry to invest in greater processing capacity in Maryland. The bill incentivizes these recycling facilities to locate within a convenient distance of major food waste generators (30 miles), reducing hauling costs to businesses and the environmental impact of transport. In Vermont, a similar law incentivizing diversion of food waste is credited with creating 900 jobs, and increasing gross state product by \$77 million and state and local tax revenue by more than \$5 million in the first two years of implementation.⁵

With the enactment of HB 589, Maryland would join other states that have adopted policies to dramatically ramp up diversion of food waste from the waste stream. In addition to Vermont,⁶ Connecticut, Massachusetts, New York City, and Rhode Island have enacted similar legislation on organics recycling and food waste diversion with success.⁷ A screening-level cost/benefit analysis on the effects of statewide legislation in New York by the State Energy Research and Development Authority (NYSERDA) found that the social benefits of the legislation outweigh the costs by \$15 million to \$23 million, depending on whether achieved by composting or anaerobic digestion.⁸ Societal benefits from increased food donation, the reduction of greenhouse gas emissions, avoided tipping fees, and increased electricity production were not considered. Net social benefits in subsequent years would increase due to the exclusion of one-time costs.

The Maryland Chapter of the Sierra Club urges a favorable report on HB 589. Diverting food waste from the waste stream would: conserve space in our landfills; reduce future greenhouse gas emissions; create green businesses and jobs; and benefit the agricultural sector and local food movement. It is an important step on the path to zero waste.

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⁵ From October 2014 to December 2016. Vermont Agency of Natural Resources, Department of Environmental Conservation. 2019. “Vermont’s Universal Recycling Law – Status Report.” January.

⁶ Act 148, enacted unanimously by the Vermont legislature in 2012, is a universal recycling and composting law that offers a new set of systems and tools for keeping as much as possible out of the landfill. Phased in over time, starting with largest generators, it is “designed to encourage the development of infrastructure and systems that will enable everyone in Vermont to keep reusable resources out of the landfill and make progress in energy and resource conservation.” Chittenden Solid Waste District (CSWD), Vermont. 2020. “Act 148: Universal Recycling & Composting Law.” See <https://cswd.net/about-cswd/universal-recycling-law-act-148/> and <https://dec.vermont.gov/waste-management/solid/universal-recycling>.

⁷ <https://ilsr.org/rule/food-scrap-ban/>

⁸ Industrial Economics, Incorporated. 2017. “Benefit Cost Analysis of Potential Food Waste Diversion Legislation,” NYSERDA Report 17-06, Albany, New York. March, p. 20.