

January 25, 2021

Delegate Charkoudian  
226 House Office Building  
9 Bladen Street  
Annapolis MD 21401

Dear Delegates in Environment and Transportation Committee,

I am writing in support of HB-0264 Organics Recycling and Waste Diversion – Food Residuals. It has hearings this week in the House Environment and Transportation Committee.

Food Waste, Solid Waste, Sustainability are all concerns of mine. I live in Ellicott City and work for Howard County Government. I work for Department of Public Works and am responsible for the Alpha Ridge Landfill and the Composting Facility at Alpha Ridge. I have been in the solid waste industry for over 20 years and keep a careful watch over Howard County and Maryland's direction for Solid Waste.

This piece of legislation has evolved over time and has gotten better with each iteration. The approach has gotten more practical, more reasonable and enforceable since its initial proposal five years ago. The time has come to move this bill favorably out of committee and to the entire legislature for passage.

In my opinion, this is not a composting bill, nor a digester bill but a food diversion bill. It is targeted to the largest producers of food waste and incentivizes them to find better solutions than to dispose of the food scrap. It is targeted to those businesses or institutions who dispose of more than 4,000 lbs of food scrap per week, and later 2,000 lbs of food scrap per week.

How many companies/organizations are covered by this bill? We don't really know. Maryland Department of the Environment (MDE) and most jurisdictions do not mandate reporting of waste streams, but we estimate that there is a lot. An estimate developed with the Howard County Office of Economic Development, made a rough guess of 200,000 tons per year in Howard County alone. That is 400,000,000 lbs per year of wasted food – in Howard County alone.

For businesses that fear that this bill will dramatically increase their disposal costs, there is provision for a waiver from MDE. For small businesses who may feel overwhelmed, they are not required to comply. For supporters of waste diversion who fear that the bill will be ignored, there are penalties. For the private business running a digester or composting operation, they will not be forced to take contaminated loads. This bill is a great start.

How will this impact our Composting Facility at the Alpha Ridge Landfill or Howard County Government? It won't. But there is much to do. We are one of an handful of facilities in the state that take food scrap, and anticipate that at full build-out, our composting facility will be taking about 7,000 tons/year of post-consumer residential food scrap. When compared to the 200,000 tons/year estimate, there is much to do in Howard County and in Maryland.

Governor Hogan's EO 01.01.2017.13 Resource Recovery Plan for Maryland deals with sustainability. MDE issued **Goals and Measurement Recommendations** in May 2019.

<https://mde.maryland.gov/programs/LAND/RecyclingandOperationsprogram/Documents/EO%20recommendations.pdf> This document called for a 60% diversion of food scrap by 2035. We are 14 years away from that date and have little physical or process infrastructure to make this happen. This is why this bill must be passed this year; we can't just avoid its passage or delay it to make further minor improvements.

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Recommended amendment:

9-1724.1 (D) change the end of paragraph from " INCLUDING THE IMPACTS ON WASTE DIVERSION IN THE STATE." to "INCLUDING THE IMPACTS ON WASTE DIVERSION IN THE STATE, REVENUES FROM PENALTIES, AND DISTRIBUTION OF THOSE MONEYS COLLECTED."

Reasoning behind the amendment:

Because Waivers are granted by the Department of the Environment, MDE will be responsible for maintaining the list of large generators of food scrap, recyclers, rates those recyclers charge, correspondence, general interface with the public and generators. This is a lot of work, and technically unfunded work. According to 9-1724.1 (E)(3) "Penalties collected under this subsection shall be distributed to a special fund, to be used only to finance incentives that encourage food waste reduction and composting in the State." Most interpretations of the law will allow MDE to use some of that money to fund its expenses driven by the law's requirements. However, if the amendment is added, MDE will need to be transparent about how much of that penalty money is being used in-house and how much is distributed to other initiatives. Transparency is always good.