



# Montgomery County

## Office of Intergovernmental Relations

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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)**

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### **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.