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THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

January 29, 2025

RE: Testimony for HB0042 - Solid Waste Disposal Surcharge and Wasted Food Reduction and Diversion Fund and Grant Programs – Established

Good afternoon, Chair Korman, and Members of the Environment and Transportation Committee.

For the record, I am Delegate Regina T. Boyce presenting **HB0042 - Solid Waste Disposal Surcharge and Wasted Food Reduction and Diversion Fund and Grant Programs - Established**. For historical reference, this bill was introduced in 2024 as HB1318, in 2023 as HB1139, and in 2022 as HB1070.

More than 42 million tons of food scraps are landfilled or incinerated in the U.S. each year, as estimated by the [EPA](#). Lack of funding to prevent and recycle wasted food are one of the main reasons for this high tonnage. According to an analysis by [ReFED](#), an estimated annual investment of \$18.6 billion can reduce food waste by 21.4 million tons each year. This investment would cut greenhouse gas emissions, save water, and rescue and save much food for those in need. ([Institute for Local Self-Reliance](#)).

HB42 establishes a funding mechanism to support three food waste reduction and diversion grant programs through a \$2 per ton surcharge on final waste disposal. This funding comes from two grant programs: **Wasted Food Reduction & Diversion Grant Program** (administered by the Department of Agriculture), the **On-Farm Organics Diversion & Recycling Grant Program** (administered by the Department of the Environment), and the **County Wasted Food Reduction Block Grant, the final program which is new this session**. These programs are designed for **reducing, rescuing, composting, and recycling** wasted food, along with **on-farm organics recycling and compost use**.

Programs Supported by the Surcharge:

Wasted Food Reduction and Diversion Grant Program: Supports projects, infrastructure, and education to reduce food waste and transition away from single-use food service ware.

On-Farm Organics Diversion and Recycling Grant Program: Assists farmers in food preservation, organics recycling, and compost use.

County Wasted Food Reduction Block Grant (new): All counties are eligible to receive funding in proportion to their population to reduce, rescue, and divert wasted food.

Maryland requires expanded access to and capacity for food waste reduction and diversion from disposal, benefiting local communities. A lack of funding is a significant obstacle to developing and expanding food waste reduction infrastructure and programs. Recommendations from the Maryland Food Systems Resiliency Council highlight the need for investments in food waste reduction infrastructure and education.

Various entities including local governments, educational agencies, non-profit organizations, for-profit businesses, and farmers are eligible for funding. Priority will be given to projects benefiting local communities, serving overburdened or underserved communities, and following best management practices.

The surcharge is set at \$2 per ton on final waste disposal and will be reviewed every two years to adjust for inflation. Waste disposal facilities collect the surcharge and submit the funds to the state. The surcharge is not applicable to materials recycled, composted, or diverted from final disposal. Haulers *may* pass down the costs of the surcharge to waste generators within guardrails to prevent exploitation. The goal is to make alternatives to food waste disposal more available and accessible to all Maryland communities. Successful waste reduction and diversion efforts may lead to adjustments in the surcharge amount.

Eight states across the country have surcharge and waste diversion policies including grants for recycling. These states include **New Jersey, Pennsylvania, Minnesota, Wisconsin, North Carolina, Iowa, Ohio, and Indiana.** Additionally, counties in states such as **California, Arizona, Illinois, Michigan, Mississippi, Colorado,** and **West Virginia** have similar programs focused on general waste production ([BioCycle](#)).

Table 1. Disposal surcharges and revenue

State/local policy	Surcharge amount (\$/ton)	Surcharge applies at			Year est.	Annual surcharge revenue (data year) in \$million
		Landfills	Incinerators	Transfer stations		
Indiana	0.50	X	X		1996	4.86 (2020)
Iowa	4.25	X		X	1987	8 (2020)
Minnesota	9.75% (households) 17% (commercial)	X	X		1997	90 (total; 2021)
New Jersey	3	X	X	X	2008	29 (2018)
N. Carolina	2 ¹	X		X	2008	23 (FY 2020-21)
Ohio	4.75 (MSW disposal)	X		X	1988	69.8 (MSW; 2021)
	1.60 (C&D disposal)	X		X	1988	8.4 (C&D; 2021)
	2 (Recycling fee)	X	X		1998	
Pennsylvania	0.25 (Envtl. stewardship fee)	X			1999	105-112 (total; 2021)
	4 (disposal)	X			2002	
Wisconsin	13	X			1999	56 (2019-2020)
Alameda County, CA	4.34 (AB939 fee)	X	X		1989	9.7 (total; 2021)
	8.23 (Measure D)	X	X		1990	
Santa Clara County, CA	0.78 (planning fee)	X	X	X	1984	1.3 (planning fee; 2021)
	4.10 (AB 939 fee)	X	X	X	1992	1.6 (AB939 fee; 2021)

Additionally, The **U.S. Environmental Protection Agency** has already established Solid Waste Reduction and Recycling Grant Programs throughout the nation. The **Solid Waste Infrastructure for Recycling program** provides grants to [implement the National Recycling Strategy](#) to improve post-consumer materials management and infrastructure; support improvements to local post-consumer materials management and recycling programs. HB42 also aligns with the United Nations' Sustainable Development Goals (SDGs), particularly SDG 12, which aims to reduce food waste and promote sustainable consumption.

Additionally, **international food waste diversion programs** include the [World Food Programme](#), a UN agency that provides food assistance in emergencies and works with communities to improve nutrition; the United Nations' International Day of Awareness of Food Loss and Waste Reduction, and programs in the United States and United Kingdom, such as [Love Food Hate Waste](#), which is a program in the UK that teaches consumers how to reduce food waste through recipe portioning and planning.

I thank the Committee for their consideration for support of HB0042.

Sincerely,



Delegate Regina T. Boyce