



“Partnering to make recycling strong through economic and environmentally sound solutions”

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Recycling and Solid Waste Study Committee (HB 617)
September 26, 2019 Meeting

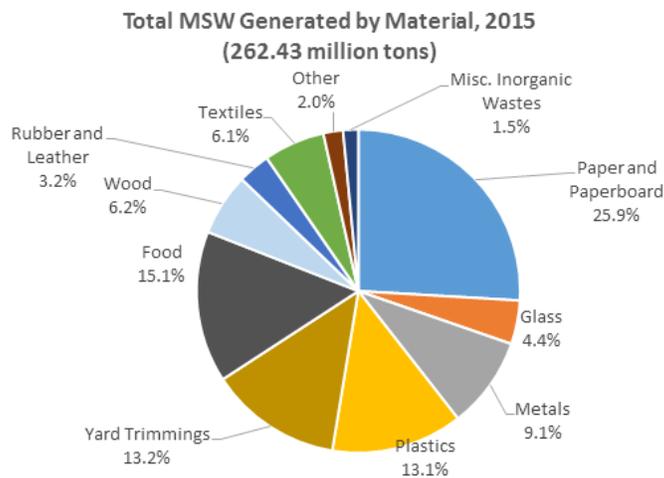
Composting in New Hampshire

Prepared by the Northeast Resource Recovery Association

Remarks by Reagan Bissonnette, Executive Director

National Context

According to estimates by the Environmental Protection Agency, over a quarter of the municipal solid waste stream in the United States generated in 2015 was material that is capable of being composted: 15.1% was food waste, and 13.2% was yard trimmings.¹ Yet the EPA estimates that only 5.3% of all food waste was composted in 2015.



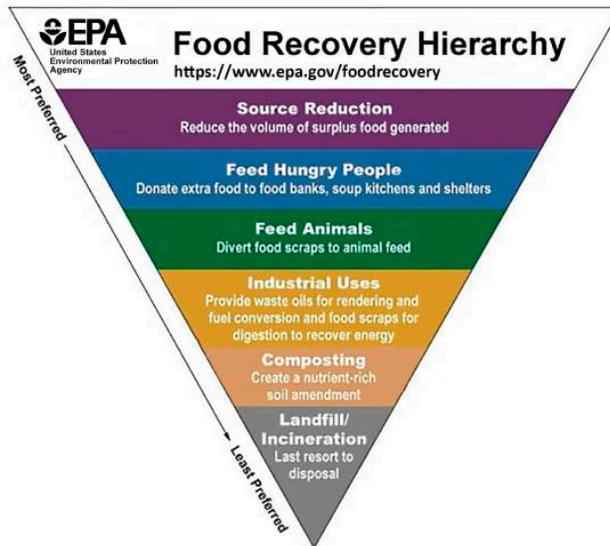
Source: EPA, 2015

There are a host of reasons why landfilling or incinerating food waste is problematic. Here are three:

1. *Environmental Impacts* – Landfilling food waste produces methane gas, a powerful greenhouse gas that contributes to climate change;
2. *Financial Cost* – Landfilling food waste is expensive because food waste is heavy, and the disposal of waste is paid by weight. The Northeast has the highest costs to dispose of waste in the entire United States.
3. *Moral Implications* – There are better ways to handle excess food than landfilling or incineration. As the below EPA Food Recovery Hierarchy shows, food waste should first be reduced, then be used

¹ <https://www.epa.gov/facts-and-figures-about-materials-waste-and-recycling/guide-facts-and-figures-report-about-materials>

to feed hungry people, then be used to feed animals. Even composting is near the bottom of preferred uses for food waste, just above landfilling or incineration.



NRRA’s Yes in My Back Yard! Programs

Over the past year, NRRA used funds from a United States Department of Agriculture Rural Utilities Service grant to educate solid waste facility operators, schools, and businesses about organics diversion options. NRRA staff held six full day workshops in New Hampshire, Vermont, and Massachusetts to advance composting in the Northeast.

New England Food Waste Bans

In the 1990s, New Hampshire banned disposing of leaf and yard waste in landfills. NH Rev Stat § 149-M:27, III (2016)

Connecticut, Vermont, Massachusetts, Rhode Island, and California all go further and have laws banning food waste from being landfilled. Each state prohibits certain entities that generate specified amounts of food waste from sending this waste to landfills, subject to exceptions. For more information, see “Keeping Food Out of the Landfill: Policy Ideas for States and Localities,” dated October 2016 from the Harvard Food Law and Policy Clinic. It identifies the organic waste bans in effect in each state and includes information on what type of waste generators are covered, what level of waste production is covered, and any exemptions based on proximity to an organics processing facility.²

This material is based upon work supported under a grant by the Rural Utilities Service, United States Department of Agriculture. Any opinions, findings, and conclusions or recommendations expressed in this material are solely the responsibility of the authors and do not necessarily represent the official views of the Rural Utilities Service.

² https://www.chlpi.org/wp-content/uploads/2013/12/Food-Waste-Toolkit_Oct-2016_smaller.pdf

State Organic Waste Bans & Recycling Laws Currently in Effect

| | Connecticut CONN. GEN. STAT. ANN. § 22a-226e | Vermont VT. STAT. ANN. TIT. 10, § 6605k | Massachusetts 310 MASS. CODE REGS. 19.017 | Rhode Island R.I. GEN. LAWS ANN. § 23-18.9-17 | California CAL. PUB. RES. CODE § 42649.81 |
|---|---|---|---|--|--|
| Food Waste Generators Covered | Commercial food wholesaler or distributor, industrial food manufacturer or processor, supermarket, resort or conference center. | Any individual, partnership, company, corporation, association, unincorporated association, joint venture, trust, municipality, the State of Vermont or any agency, department, or subdivision of the State, federal agency, or any other legal or commercial entity. | Any individual, partnership, association, firm, company, corporation, department, agency, group, public body (including a city, town, district, county, authority, state, federal, or other governmental unit). | Commercial food wholesaler or distributor, industrial food manufacturer or processor, supermarket, resort or conference center, banquet hall, restaurant, religious institution, military installation, prison, corporation, hospital or other medical care institution, casino, and covered educational facility. | Any business, meaning a commercial or public entity such as a firm, partnership, corporation, or association organized as a for-profit or non-profit entity. Multifamily residential dwellings are exempted. |
| Waste Production Threshold to be Covered | 2014: 104 tons/year 2020: 52 tons/year | 2014: 104 tons/year 2015: 52 tons/year 2016: 26 tons/years 2017: 18 tons/year 2020: Food scraps banned from landfill completely | 1 ton/week* *Generators are covered only for weeks during which they meet the threshold | 2016: 104 tons/year 2018: 52 tons/year for covered educational facilities | 2016: 8 cubic yards per week 2017: 4 cubic yards per week 2020: 2 cubic yards per week IF statewide organic waste disposal has not been reduced to 50% of the level in 2014. |
| Distance Exemptions | 20 miles | 20 miles | None | 15 miles | None (but there are exemptions for rural jurisdictions) |
| Other | | | | Waiver from the above requirements if the landfill tipping fee is less than the fee charged by an authorized composting or anaerobic digestion facility located within 15 miles of the business. | |