Organic Waste Management in New York State: Potential Legislation

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Organics Generated Municipally

Organics make up about 30% of materials generated in a municipality.

- 18% Food Scraps
- 5% Yard Trimmings
- 7% Soiled Paper
Organics Generated and Percent Recycled

- Food Scraps:
  - Generated: 1,500,000
  - Recycled: 0
  - Percent Recycled: 1%

- Yard Trimmings:
  - Generated: 5,000,000
  - Recycled: 65%

Legend:
- Generated
- Recycled
How Much Food Are We Talking About

• NRDC estimates that 40 percent of food in the United States goes uneaten.

• More than 20 pounds of food per person per month.
At the Top

Food Recovery Hierarchy

- Source Reduction
- Feed Hungry People
- Feed Animals
- Industrial Uses
- Composting
- Incineration or Landfill
Animal Feeding

Food Recovery Hierarchy

- Source Reduction
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Most Preferred

Least Preferred
Recycling Food Scraps: Anaerobic Digestion and Composting
The Good and Bad News

- Facilities that accept food scraps
- Haulers that transport food scraps to compost facilities
- Current capacity of food scrap recycling facilities
State Funding

- $500,000 to P2I for waste audits, etc
- $200,000 to Cornell for research into expanded compost use
- $75,000 to Central New York Food Bank for mobile cold storage units
- $2,000,000 ESD funding for infrastructure
- Focused EPF recycling grants from DEC – new Part 360
Organic Bans

- Massachusetts - July 2014
- Connecticut - 2011
- Vermont - 2012
- California - April 1, 2016
- New Jersey - (incentives) 2015
- Seattle - June 2015
- San Francisco - October 2009
- New York City - 2014
- Vancouver, BC - July 2015
State of the State Initiative in New York State

“Governor will work with the legislature in 2016 to pass a bill requiring large generators of food waste to donate edible food and compost or recycle what is not donated”.

[Images of fresh carrots and food waste]
Potential Organics Diversion Legislation

Beginning January 1, 2021:

• Large generators (2+ tons/week) must donate excess food
• If a viable facility exists within 50 miles, the generator must recycle food scraps
• Disposal of separated food scraps is prohibited
Who would be affected:

“Designated food scraps generator” a person who generates at a single location an annual average of two tons per week or more of excess food and food scraps, including, but not limited to, supermarkets, restaurants, educational institutions, correctional facilities, entertainment venues, hospitals and other healthcare facilities.
## Estimated Quantity Generated by Large Food Scraps Generators (> 2 tons per week) by Sector*

<table>
<thead>
<tr>
<th>Industry Sector</th>
<th>Number</th>
<th>Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>Colleges &amp; Universities</td>
<td>11,430</td>
<td>meals served weekly</td>
</tr>
<tr>
<td></td>
<td>1,470</td>
<td>residential students</td>
</tr>
<tr>
<td></td>
<td>5,500</td>
<td>non-residential students</td>
</tr>
<tr>
<td>Correctional Facilities</td>
<td>570</td>
<td>inmates</td>
</tr>
<tr>
<td></td>
<td></td>
<td>30 cubic yards of total waste weekly</td>
</tr>
<tr>
<td>Hospitals</td>
<td>6,700</td>
<td>meals served weekly</td>
</tr>
<tr>
<td></td>
<td></td>
<td>13,300 lbs. of food served weekly</td>
</tr>
<tr>
<td></td>
<td></td>
<td>167 beds</td>
</tr>
<tr>
<td>Lodging &amp; Hotels</td>
<td>571</td>
<td>guests per day</td>
</tr>
<tr>
<td></td>
<td>602</td>
<td>rooms</td>
</tr>
<tr>
<td></td>
<td></td>
<td>25 cubic yards of total waste weekly</td>
</tr>
<tr>
<td>Nursing Homes</td>
<td>6,700</td>
<td>meals served weekly</td>
</tr>
<tr>
<td></td>
<td></td>
<td>20,000 lbs. of food served weekly</td>
</tr>
<tr>
<td></td>
<td></td>
<td>318 beds</td>
</tr>
<tr>
<td>Restaurants</td>
<td>8,000</td>
<td>meals served weekly</td>
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<tr>
<td></td>
<td>139</td>
<td>full-time employees</td>
</tr>
<tr>
<td></td>
<td>14</td>
<td>cubic yards of total waste weekly (full svc. rest.)</td>
</tr>
<tr>
<td></td>
<td>17</td>
<td>cubic yards of total waste weekly (fast food rest.)</td>
</tr>
<tr>
<td>Supermarkets &amp; Grocery Stores</td>
<td>69</td>
<td>full-time employees</td>
</tr>
<tr>
<td></td>
<td>14</td>
<td>cubic yards of total waste weekly</td>
</tr>
<tr>
<td>Venues &amp; Events</td>
<td>952</td>
<td>seats</td>
</tr>
<tr>
<td></td>
<td>4,000</td>
<td>meals served weekly</td>
</tr>
<tr>
<td></td>
<td>8,900</td>
<td>visitors weekly</td>
</tr>
<tr>
<td></td>
<td></td>
<td>36 cubic yards of total waste weekly</td>
</tr>
</tbody>
</table>

*Source: Generation formulas from RecyclingWorks, Massachusetts*
What is included in recycling:

- animal feed or a feed ingredient
- rendering
- land application
- composting
- digestion
- ethanol production
- other approved methods
Generator responsibilities: donation

All designated food scraps generators shall separate their excess food for donation for human consumption to the maximum extent practicable.
Generator responsibilities:

> Source separate food scraps (unless a mixed waste composter or digester)
> Ensure proper storage
> Training employees

Food scraps can be recycled on-site, self-haul to a recycler, or obtain a transporter to deliver food scraps to a recycler.
Annual Report, Exemptions, Waivers:

- Annual report to DEC required:
  - amount of excess food donated and/or excess food not donated
  - amount of food scraps recycled,
  - organics recycler(s) and transporters used
  - other information as required
- New York City excluded if local program continues
- A one year waiver can be obtained for undue hardship, such as excessive cost
  - Waivers can be reissued
Transporter responsibilities:

Transporters that collect source-separated food scraps must:

• deliver to a transfer station for transport to an organics recycler or deliver to an organics recycler

Source separated food scraps cannot be delivered to a combustion facility or a landfill.
Transfer station responsibilities, prohibition:

- Transfer station or intermediary must ensure that the food scraps are taken to an organics recycler.
- Combustion facilities and landfills cannot accept source-separated food scraps from a large generator after January 1, 2021.
What is DEC’s role:

• Publish a list of designated food scraps generators, organics recyclers, and transporters that manage source-separated organics

• Promulgate regulations to implement the program

• Develop and disseminate educational materials, including ways to minimize waste
Thank You