

SENATE BILL 99

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CF HB 171

By: **Senator Middleton**

Introduced and read first time: January 12, 2017

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 28, 2017

CHAPTER _____

1 AN ACT concerning

2 **Department of the Environment – Yard Waste, ~~and~~ Food Residuals, and Other**
3 **Organic Materials Diversion and Infrastructure – Study**

4 FOR the purpose of requiring the Department of the Environment, in consultation with
5 certain persons, to study, review, explore, identify, and make recommendations
6 regarding certain matters that relate to the diversion of yard waste, food residuals,
7 and other organic materials from refuse disposal facilities, including certain
8 infrastructure; requiring the Department to report its interim and final findings and
9 recommendations to the Governor and the General Assembly on or before certain
10 dates; and generally relating to yard waste, ~~and~~ food residuals, and other organic
11 materials diversion and infrastructure.

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
13 That:

14 (a) The Department of the Environment shall:

15 (1) study the diversion of yard waste, ~~and~~ food residuals, and other organic
16 materials from refuse disposal facilities in the State, including any State laws or
17 regulations governing the diversion of yard waste, ~~or~~ food residuals, or other organic
18 materials;

19 (2) study the laws and regulations of other states, including the laws and
20 regulations of Massachusetts, Connecticut, Vermont, California, and Rhode Island,
21 governing the diversion of yard waste, ~~or~~ food residuals, or other organic materials;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (3) review the status of infrastructure for the diversion of yard waste, ~~and~~
 2 food residuals, and other organic materials in the State and other states, including the
 3 availability of infrastructure in relation to:

4 (i) large generators of food waste, identified by type, quantity of food
 5 waste generated by entity, and geographic distribution; and

6 (ii) organizations that use surplus food, identified by type and
 7 geographic distribution;

8 (4) explore ways to promote composting of yard waste and food residuals
 9 and other methods of organic waste reduction and diversion, including ways to encourage:

10 (i) a decentralized and diverse infrastructure; and

11 (ii) the prevention of organic waste generation;

12 (5) identify the infrastructure needs and challenges related to yard waste,
 13 food residuals, and other organic materials composting and diversion that are unique to the
 14 different geographic regions of the State;

15 ~~(5)~~ (6) identify means to encourage investment in infrastructure and
 16 provide economic incentives to expand capacity for yard waste, ~~and~~ food residuals, and
 17 other organic materials diversion in the State, including ~~identification of~~:

18 (i) the development of, in consultation with local governments,
 19 model guidelines and best practices for the local identification of properties or development
 20 zones where diversion infrastructure may be developed; and

21 (ii) the identification of any tax, grant, or other incentives that
 22 already exist to encourage and support infrastructure and economic development;

23 (7) identify any applicable sanitary and public health concerns related to
 24 yard waste, food residuals, and other organic materials composting and diversion;

25 ~~(6)~~ ~~recommend a refuse disposal fee to finance a grant program that~~
 26 ~~provides financial assistance to develop infrastructure and expand capacity for yard waste~~
 27 ~~and food residuals diversion in the State~~;

28 (8) identify the current process for permitting anaerobic digestion facilities
 29 and recommend improvements that should be made to the anaerobic digestion permitting
 30 process;

31 ~~(7)~~ (9) recommend measures to promote the diversion of yard waste,
 32 ~~and~~ food residuals, and other organic materials in the State, including any necessary
 33 programmatic, legislative, or regulatory changes; and

1 ~~(8)~~ (10) subject to the approval of the affected local governments,
2 recommend a pilot program for the region in which Elkridge and Jessup are located to
3 prioritize infrastructure development and food waste recovery from large food waste
4 generators.

5 (b) In conducting the activities required under subsection (a) of this section, the
6 Department shall consult with:

- 7 (1) the Department of Agriculture;
- 8 (2) the Department of Commerce;
- 9 (3) the Maryland Environmental Service;
- 10 (4) the MD–DC Compost Council;
- 11 (5) the American Biogas Council;
- 12 (6) the Restaurant Association of Maryland;
- 13 (7) the Maryland Retailers Association;
- 14 (8) the Maryland Food Bank;
- 15 (9) the Institute for Local Self–Reliance;
- 16 (10) the Maryland Recycling Network;
- 17 (11) the Maryland Farm Bureau;
- 18 (12) the Maryland–Delaware Solid Waste Association;
- 19 (13) the Chesapeake Foodshed Network;
- 20 (14) the Maryland Horse Council;
- 21 (15) the Johns Hopkins University Center for a Livable Future;
- 22 (16) the Future Harvest/Chesapeake Alliance for Sustainable Agriculture;
- 23 (17) the Maryland Association of Counties;
- 24 (18) the Maryland Municipal League; ~~and~~
- 25 (19) the Chesapeake Sustainable Business Council;

SENATE BILL 99

1 (20) the University of Maryland, College Park;

2 (21) the Chesapeake Bay Foundation;

3 (22) the Food Waste Reduction Alliance;

4 (23) other environmental organizations; and

5 ~~(19)~~ (24) a private business based in the State that provides food waste
6 collection services.

7 (c) On or before July 1, 2018, the Department shall report its interim findings
8 and recommendations to the Governor and, in accordance with § 2-1246 of the State
9 Government Article, the General Assembly.

10 (d) On or before July 1, 2019, the Department shall report its final findings and
11 recommendations to the Governor and, in accordance with § 2-1246 of the State
12 Government Article, the General Assembly.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
14 1, 2017.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.