



# Department of Environmental Protection

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## TASK FORCE ON BUILDING ORGANICS CAPACITY IN MASSACHUSETTS

### MEETING #1: MEETING NOTES

#### SORTED BY SUB-GROUP/ISSUE CATEGORY

#### **DEP regulations: solid waste, wastewater, air quality**

- Neighbors concerned about odors
- Permitting/site assignment
- Impacts of organics on nutrient values at wastewater treatment plants (WWTPs)
- DEP involvement/support at local meetings
- Size of facility footprint – difficult to find adequate locations of sufficient size
- Has helped to have definition of organic materials mgmt as recycling
- Nature of material - very high water content – need to consider in developing solutions – how to manage water
- Uncertainty associated with permitting facilities as recycling and DON permit – square peg in round hole? – lender uncertainty
- Exclusion of energy from recycling is a problem
- Current regulatory tonnage limits for conditionally exempt compost facilities may be an issue – raised at Summit
- Difficult to obtain multi-media DEP permits – multiple permits across program areas
- DEP/public concern about trace chemicals in digestate
- Streamlined permitting process at existing facilities
- Need for skilled regulators in field to provide clear, level playing field for operators, assure public that well overseen – DEP resource constraints, consider licensed site professional (LSP) type approach
- Continuing confusion over applicability of moratorium
- Sludge rules antiquated, confusing, may create problems for some facilities
- Need to define rules of game for new options for food waste – establish clear expectations, need to be fair and clear
- Playing field should encourage increased diversion vs. disposal

- Need for adequate compliance and enforcement of waste bans – not adequate DEP resources – should involve municipal officials to supplement state resources
- CT consolidated multi-media permit program
- CT - Prioritize projects that advance Master Plan goals in permitting
- CT – state can override local permitting decisions
- CA – updating siting protocol for AD facilities – now doing workshops
- DEP had project to improve operations at existing facilities – provided TA
- AD/composting have been proved beneficial at reducing trace contaminants in material streams
- Creating need for more separate collection streams is an issue – AD of mixed MSW would eliminate this concern but limited by MSW combustion moratorium
  - o should look internationally at experience
- WA – revising compost regulations
- OR – tiered permitting system
- FL – composting regulations registration system
- IL – similar regulations
- Identify regulations inhibiting food donation?

#### **DOER regulations/standards/incentives**

- Department of Energy Resources (DOER) renewable energy credit (REC) standards for anaerobic digester (AD) gas
  - o Now covers landfill gas only – needs to be addressed by DOER to include gas from AD facilities
- Green Communities Act - net metering is a good positive step
- Federal level bias towards electricity versus gas production
- Need for state RECS to include AD gas
- Green Communities Act - net metering is a good positive step
- Department of Public Utilities (DPU) recognizing renewable gas energy
- Other values of AD – beyond gas generation for energy – specific carve-out for AD
  - o Improve incentives for GHG generation – reflect value of destroying methane

#### **Local Approvals**

- also need for multiple local permits – e.g., Board of Health, Board of Zoning Appeals, police/fire
- Uncertainty about balance of power between local/state government with regard to permitting approvals – appeal mechanism to state level
  - o Building codes don't address biogas facility construction

- Difficult for communities to distinguish between technologies – don't have resources/expertise
- Lack of separate sewer fees and metering – no incentive to not put organics into sewer system
- Need to safeguard local decision making authority in approval processes
- Green DOT program, Econ and Community Development would be helpful to engage in working with municipalities

#### **Public Education: general public and generators**

- Neighbors concerned about odors
- Need to improved education and awareness about local benefits
- Absence of model reference facilities
- Need for more public education – including schools
- DEP/public concern about trace chemicals in digestate
- Building local understanding of importance from climate and jobs perspective

#### **Facility financing, financial incentives, and assistance**

- Consider state tax credits to fill in for expiring federal tax credits
- Availability of affordable financing
- Price of energy double edged sword – too low for some ventures relying on value of energy
- VT – feed in tariffs
- Green Communities Act - net metering is a good positive step
- Federal level bias towards electricity versus gas production
- Need for grant programs to support program start-ups
- Other values of AD – beyond gas generation for energy – specific carve-out for AD
  - o Improve incentives for GHG generation – reflect value of destroying methane
- Financing – work with other state agencies to enable bond financing opportunities – make available to these types of facilities
- Lack of taxing things we don't want versus relying on incentives – incentives may be more complex
- Iowa USDA office grant program website – very good one-stop source
- 35 states disposal tip fees to fund programs

#### **One group to address the following:**

##### **-----improved data and analysis of organic portion of waste stream**

- How much of food waste is currently diverted?

- MassDEP estimates that about 5-10% of food waste is currently diverted, about 100,000 tons annually
- What is the commercial/residential split?
  - About 60% commercial/40% residential
- Lack of detailed data about organics generators
- Are fats, oils, and greases (FOG) part of this? – YES

**----collection systems development—address material quality and specifications**

- Need to determine how would the organics waste ban apply in terms of facility size and commercial/residential?
- Need to preserve existing capacity
  - Have lost existing facilities
- Commitments from generators to supply materials
- Bottom line is cost for managing solid waste – how will affect generator costs?
- Good to have calculator for business generators to do cost analysis – understand costs better
- Need to have clear best practices for commercial/residential programs
- Separate collection can be expensive
- From collection standpoint – would want to collect with leaves and yard waste – facilities need to be able to handle
- Cost of separate collection containers
- Extended Producer Responsibility (EPR) – contamination by inert materials – twist ties, bags – material stream needs to be cleaner/less contamination
- need for matchmaking between generators and type of material with processing facilities – get right material delivered to facilities, clear material specifications
- proximity of facility to generators – may be lack of adequate sites within needed radius
- Waste ban – food waste can go out of state
- Need for adequate compliance and enforcement of waste bans – not adequate DEP resources – should involve municipal officials to supplement state resources
- Creating need for more separate collection streams is an issue – AD of mixed MSW would eliminate this concern but limited by MSW combustion moratorium
  - should look internationally at experience
- Metro Vancouver, BC area collection system efficiency
- Pulling out FOG separately would reduce sewer overflows
- Muni perspective – if costs municipalities more money will not support – cost is bottom line – need to demonstrate what costs/savings will be

#### **----improve end-use markets**

- Need to improve markets – including state purchasing
- Key issue is getting the materials to markets – e.g., getting it bagged
- Market flooded with low quality compost which lowers price
- Should consider use of food materials for animal feed, and food recovery
- Key benefit – replenishing agricultural soil nutrients if done well
- Important to preserve highest and best use of materials
- Integrating with improved agricultural nutrient management planning

#### **Other Issues/General Comments**

- Move towards biodegradable products at fast food restaurants – cost barrier for widespread adoption – state could help support shift
- Issue with some biodegradables not degrading well enough/quickly enough
- Landfill marketing/landfill alternative is barrier to other ways of capturing methane
- Competition from landfills needs to be overcome
- Should be significant econ. benefits to state and citizens – energy generation and revenues
- State sustainability – should manage waste more locally in state – like local produce
- Green Communities Act (GCA) interesting nexus to state sustainability
- Include greenhouse gas (GHG) benefits
- Bio-fuels mandate