



Organics Waste Ban and Municipal Resources

MHOA/MassDEP Winter Seminars
March 2016





Commercial Organics Waste Ban Status

- Commercial organics ban took effect October 2014
- Only applies if dispose of >1 ton/week
- Businesses and institutions only
- Elementary and secondary schools – generally below threshold
- Monitor compliance as part of WB inspections at solid waste facilities



Implementation Issues

- Generally going smoothly
- Working to grow infrastructure for packaged food (subject to ban)
 - Handling through short term waivers now
- Continuing to conduct outreach, tech assistance, compliance assistance
- Increased focus on food donation and reduction opportunities



Infrastructure Status for Food Materials

- Widespread food bank and food rescue infrastructure
- Approximately 50 operations in Mass taking food materials for animal feed, compost, and anaerobic digestion
- Some facilities in other states accepting MA materials as well
- Increased hauler Services – RecyclingWorks database
- On-site systems can be used as well



Recycling Works in Massachusetts

- Helps businesses and institutions
 - Maximize waste diversion
 - Save money
 - Assist with Waste Ban Compliance
 - Improve customer/Employee satisfaction

- Funded by MassDEP, delivered under contract by the Center for EcoTechnology



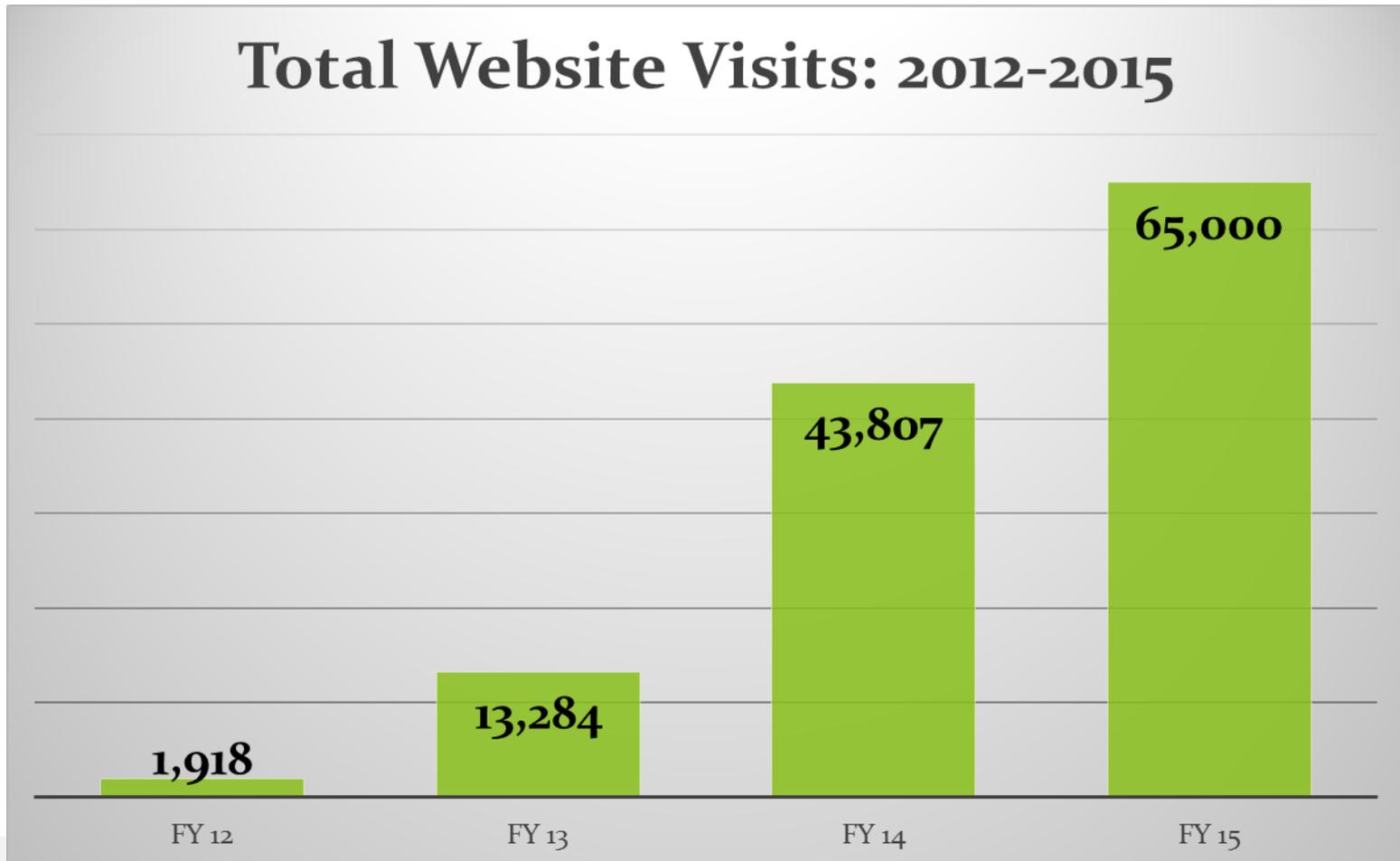
RecyclingWorks in Massachusetts

Services include:

- Online Resources
- Email and Phone Hotline
- Technical Assistance
- Events and Workshops
- WasteWise Program Administration



Website Statistics





Hotline Intakes, 2012-2015

Fiscal Year 2012: 138

Fiscal Year 2013: 301

Fiscal Year 2014: 468

Fiscal Year 2015: 827

Fiscal Year 2016 Q1: 402



Direct Technical Assistance

167 Businesses and Institutions Received
Direct TA in FY15

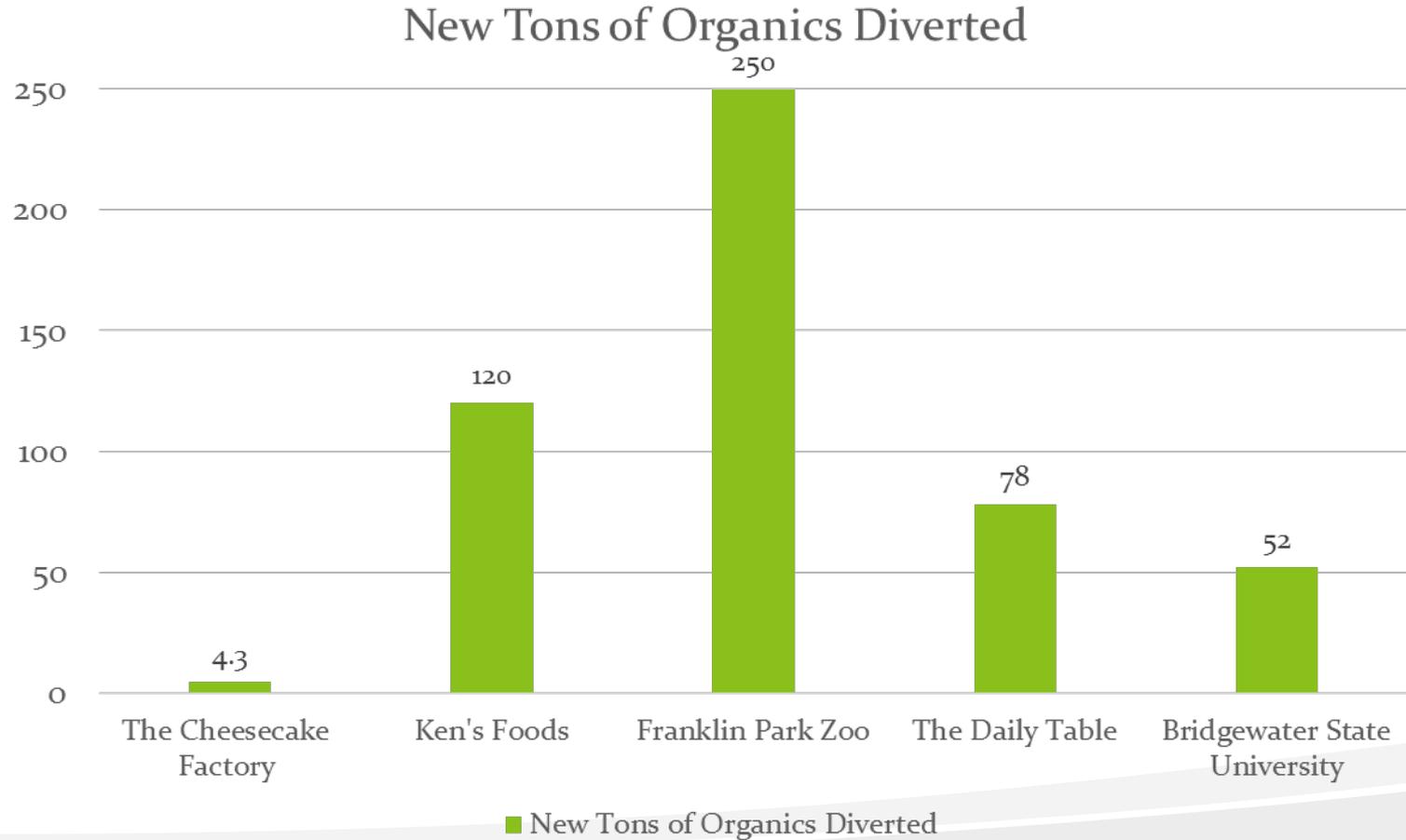


Technical Assistance FY15 & FY16

Type of Assistance	FY15 Goal	FY15 Total	FY16 Goal	FY16 Current
Hospitality	20	16	20	4
Generators Subject to Ban	25	31	30	15
State Facilities	12	13	12	9
Other On-Site TA	30	25	30	25
Mini-TA	50	82	120	67
Totals	137	167	212	120



Organics Diversion FY16 Q1 TA Examples





New in FY16 ...

- RecyclingWorks website migration to a modern, mobile-friendly template
- Fall and spring college forums
- Guidance document for generators to be informed consumers of hauling services
- Compost site operators technical assistance and workshop

Donating Food: Primary Areas of Focus

- Food Safety
- Food Labeling
- Food Storage
- Food Transportation
- Relationship and Partnership Building



Image courtesy of Food For Free



Food Donations

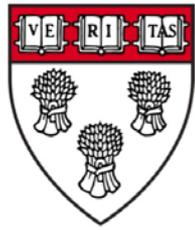
- Noticeable increase in RecyclingWorks hotline inquiries regarding food donations since commercial organics ban took effect
- Opportunities to increase donation, needed clear guidance

Stakeholder Meetings

- Three stakeholder meetings
 - Springfield
 - Worcester
 - Boston
- Engage stakeholders
 - Department of Public Health
 - Local health agents and Boards of Health
 - Food donation and rescue organizations
 - US EPA
 - Harvard Food Law and Policy Clinic



Image courtesy of Katy Jordan/Lovin' Spoonfuls



- Key stakeholder group
- Developed three legal fact sheets on food donation
 - Liability Protection
 - Date Labeling
 - Tax Incentives

HFLPC Fact Sheet: Liability Protection

- Federal Laws

- Bill Emerson Good Samaritan Act (42 USC § 1791)
 - Provides liability protection for individuals, businesses and non-profits that make qualifying donations
- Qualifying Donations
 - Donated to a non-profit
 - Donated food is distributed to needy populations
 - Recipients of food are not charged

- Massachusetts Laws

- Receiving non-profit organization must be inspected and permitted
- Food must be handled and stored in compliance with all applicable public health regulations
- State labeling laws apply to food



HFLPC Fact Sheet: Date Labeling

- Federal Laws
 - No federal laws regulating date labeling
 - The FDA only regulates infant formula
- Massachusetts Laws
 - Some of the most strict in the country
 - All foods with shelf life of less than 90 days must be labeled
 - Unpackaged foods do not need labels if they can be visually inspected
- If food is past date, in order to be donated it must:
 - Be separated from foods that are not past date
 - Be clearly labeled as food that is past date before it can be sold or donated



HFLPC Fact Sheet: Tax Incentives

- Federal tax incentives changed at the end of 2015, making enhanced deductions for food donations permanent
- Eligible Businesses
 - **C-Corporations:** Eligible for an enhanced tax deduction under 170(e)(3) of the Internal Revenue Code, up to 10% of taxable income
 - **LLCs, S-Corps, Sole Proprietorship:** Eligible for an enhanced tax deduction under 170(e)(3) of the Internal Revenue Code, up to 30% of taxable income
- Massachusetts does not have state-level tax incentives for food donations



Food Donation Guidelines on RecyclingWorks

The screenshot shows the RecyclingWorks Massachusetts website. At the top left is the RecyclingWorks logo with the text "RECYCLINGWORKS MASSACHUSETTS". To the right is an email icon and the text "info@recyclingworksma.com CALL OUR HOTLINE: (888)254-5525". Below this is the text "Recycling Assistance for Businesses & Institutions". A navigation bar contains links: HOME, ABOUT, FIND A RECYCLER, RECYCLE, FOOD WASTE, REUSE, WASTEWISE, NEWS/EVENTS.

Food Donation Guidance for Massachusetts Businesses

The RecyclingWorks in Massachusetts program has worked with state and local health officials, food rescue organizations, food banks, and organizations with established food donation programs to develop this Food Donation guidance document by holding three stakeholder meetings across the state in Springfield (March 25, 2015), Worcester (April 9, 2015) and Boston (April 29, 2015). The information gained from the meetings was used to create this guidance document.

The US EPA's Food Recovery Hierarchy ranks feeding hungry people near the top of its priorities as a strategy to reduce wasted food. Businesses should consider how each strategy on the EPA Hierarchy can contribute to a comprehensive food waste reduction plan.

This document is intended to provide guidance to organizations interested in establishing Food Donation programs by offering a broad overview of how successful food donation programs should be structured. In order to have a successful food donation program there are four major steps that must be taken:

1. Identify the types and amounts of food to be donated
2. Identify partner organizations in your area with which to work
3. Determine packaging, storage, and labeling requirements to ensure food safety

Food Recovery Hierarchy
www.epa.gov/foodrecoverychallenge

- Source Reduction**
Reduce the volume of surplus food generated
- Feed Hungry People**
Donate extra food to food banks, soup kitchens and shelters
- Feed Animals**
Donate food scraps to animal feed
- Industrial Uses**
Produce animal and/or fertilizer and fuel components from food scraps for agriculture to increase energy
- Composting**
Create a compost pile and generate
- Landfill/Incineration**
Last resort for disposal

UPCOMING EVENTS

MassRecycle's 25th Anniversary Celebration
10 / 14 / 2015
Cambridge
BioCycle Refor15
10 / 19 / 2015
Danvers
Food Day
10 / 23 / 2015
Boston
SWANA Southern New England Recycling & Solid Waste Conference
11 / 4 / 2015
Foxborough
NERC Fall Forum: Glass Recycling - Exploring Possible Solutions
11 / 9 / 2015
Providence

Find a Recycler

Use our [Recycler Database](#) to find a Processor or a Hauler for the materials you need recycled

www.RecyclingWorksMA.com/donate



Using the Guidelines

www.RecyclingWorksMA.com/donate

- Read the donation guidelines on the RecyclingWorks website
 - Determine the types and quantities of food you have for donation
 - Network with local hunger relief organizations that can accept your donateable food
 - Create an agreement between organizations that covers
 - Types and quantities of foods
 - Pickup frequency
 - How food will be handled
 - Share certifications and documentations

Contact RecyclingWorks for additional assistance

888-254-5525 | info@recyclingworksma.com

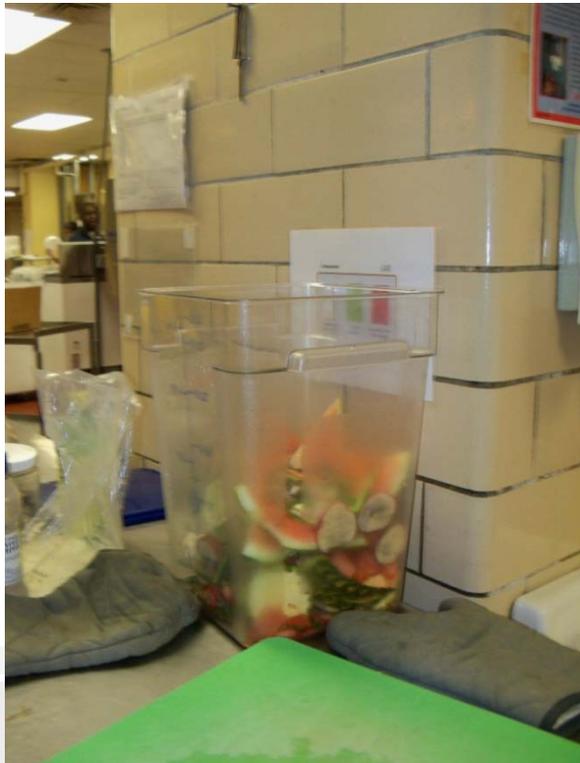


Separating Food for Composting BMPs

- Held similar process to develop guidance on collecting food scraps for animal feed, composting, and AD
- Engaged state and local health officials, business generators and haulers
- BMPs help to guide local officials, haulers, and generators
- Businesses should check with local health dept.

Source Separation of Wasted Food

- Source separation of food waste will start in kitchens and dish rooms.





Back of the House: Collection

Process

- Food waste should be collected in dedicated receptacles in the same area where trash is currently collected
 - Containers should be leak proof, covered when not in use, clearly marked and intended only for the purpose of food waste collection
- Once collected, food waste should be brought to an outdoor storage area near trash storage for pick up



Carts & Dumpsters

- Hauler collection frequency for carts and dumpsters:
 - Summer (April-September) – twice per week
 - Winter (October-March) – once per week
- Certain situations may dictate the need for more frequent removal
 - Proximity of the container to other establishments
 - Type of food waste generated
 - High-odor generators (such as seafood restaurants) may need to have haulers collect more frequently



Compactors

- Hauler collection frequency for compactors, typically 20 yards+
 - Summer (April-September) – once per week
 - Winter (October-March) – once per week
- Compactor exposure to sun may affect hauling frequency
- Condition of compactor should be checked regularly for leaks or rusting



Outdoor Storage Practices

- Containers should be closable, leak-free, water tight and capable of being locked
- Doors/hatches should be closed when not in use to prevent pests from entering the container
- Storage area should be clearly marked with no-parking signs, easily cleanable and, if necessary, enclosed by fencing to contain wind-blown litter
- No food debris or residue should be outside of the container



For More Information

- MassDEP Information
 - <http://www.mass.gov/eea/agencies/massdep/recycle/reduce/food-waste-ban.html>
- RecyclingWorks Information
 - www.recyclingworksma.com
 - 1-888-254-5525