

Organics Subcommittee Meeting Summary
May 13, 2019 - 1:00 PM – 3:00 PM
Massachusetts Department of Environmental Protection (MassDEP)
One Winter Street, Boston, MA

John Fischer of MassDEP reviewed MassDEP's Organics Action Plan, presented draft sector-based food waste generation estimates, and framed a discussion regarding food waste generation and management capacity.

The presentation is posted along with this meeting summary on the [MassDEP website](#).

Organics Action Plan

Q: Has MassDEP conducted analysis about compliance so far? If so, where does non-compliance exist?

A: The number of entities diverting food waste from disposal has increased 70 percent - from 1,350 in 2014 to 2,300 in 2018 - so we know there has been a lot of progress with compliance. However, MassDEP realizes there is also some degree of non-compliance, including at businesses that have established food waste diversion programs but may still be disposing more than one ton per week at times. MassDEP has issued 45 notices of non-compliance (NONs) and four administrative consent orders with penalties (ACOP) for disposal of food materials to date. MassDEP is continuing to conduct waste ban inspections at solid waste facilities, supplementing this work by sending formal information requests to specific generators whom we believe may not be in compliance with the commercial organics ban. Our sense is that compliance is higher among larger generators than those closer to the one ton per week threshold.

Q: What more will large generators have to do under a more restrictive ban?

A: Even if a generator has reduced waste to fall under the one ton per week threshold, it still may not be below a half ton per week. One scenario in which a generator might stop diverting after meeting the one ton per week requirement is if they only collect food waste at the back of the house. With a lower ban threshold, they might have to expand their program to include front of the house collection.

Q: Do entities subject to the current ban tend to divert enough to get under the one ton per week threshold and then stop diverting the rest of it?

A: No, MassDEP does not believe generators do this intentionally; they may just not be capturing all of their food waste. Another scenario in which this might happen is if a generator with multiple food service operations under the same location separates food waste at some operations, but not at others.

Q: Has there been consideration of compliance by business type instead of by tonnage? For instance, restaurants with 25 or more seats, shopping malls with food courts, schools, and hospitals with cafeterias?

A: To do that, we would have to take a different approach to what compliance means and this is different from the current waste ban regulatory framework where non-compliance is assessed at the point of disposal.

C: Generators could be phased in by sector to comply with new ban. This could also provide more clarity on who is subject to the ban.

Q: Are there plans for a public education campaign? Compliance is one thing, but more importantly, shifting the paradigm away from disposal, for everyone.

A: There are education and outreach efforts for those subject to the ban throughout the process. MassDEP works through associations, haulers, and other to spread the word to generators potentially subject to the ban.

C: A broader public education campaign about food waste that raises public awareness would be helpful as well.

C: It would be interesting to see what percentage of businesses in each business sector would be subject to the new ban.

R: MassDEP will work to develop more specific analysis by business sector to share at a future organics subcommittee meeting.

Q: Have the economics of diverting food waste changed over the past five years?

A: As far as MassDEP is aware, tip fees for composting or anaerobic digestion of food materials have not changed very much. The greatest potential for further reducing costs lies in improving collection efficiency and route density. Increased food donation and rescue is another potential avenue toward cost savings. At the same time, it is likely that trash disposal tip fees will continue to rise in the Northeast.

Q: How have the finances changed on organics pickups vs. trash and recycling?

A: Recycling prices have gone up, and as capacity in the state tightens, trash costs will continue to increase, meaning organics management will likely be the least expensive option of the three. Also, as more entities engage in organics collection, more routes are established, which improves collection efficiency and drives down cost.

Q: Are cost savings for a half ton ban threshold different than at one ton per week?

A: For most businesses above the one ton per week threshold, it is typically cost effective to divert food waste from disposal. This assumes that they are adjusting their disposal service to

reduce their disposal costs once they implement separate food waste collection. For businesses between a ½ ton and 1 ton per week of food waste, it is more difficult to realize enough disposal savings to offset the increase in collection costs for separate food waste collection. In those cases, it becomes important to optimize collection efficiencies for both food waste and trash to make those programs cost effective.

Q: Should the regulatory change be tied into the revised Solid Waste Master Plan?

A: MassDEP expects to include discussion of lowering the threshold for the commercial organics waste disposal ban in the Draft 2030 Solid Waste Master Plan. However, the development of this regulatory proposal and the Draft Master Plan can proceed on independent tracks, and either one could be implemented first.

Discussion of Issues and Barriers

Q: What is the percent increase in number of organics management sites since the last ban?

A: The number of overall sites has remained more or less the same. The significant growth has come in the form of anaerobic digestion facilities and capacity.

C: Smaller, more numerous facilities (whether AD or compost) are the way to go. Hauling is a big cost because compost facilities don't exist in more populated areas. Composting in populated areas is viable but would have to be implemented on a smaller scale. We should also tap more wastewater treatment plants for AD and increase the number of compost sites in populated areas.

C: The resistance to composting food waste at municipal leaf and yard waste sites typically comes from the towns themselves and there is potential for many of these sites to add food waste to their composting operations.

C: The other factor working against more sites is NIMBY. Some municipalities tried having a drop-off collection site, but public opinion was negative. These concerns can also be increased by having truck traffic from outside the immediate community.

C: As more residential collection is encouraged through pilot/grant programs, haulers might be more likely to include restaurants and other business generators on the same collection routes.

Q: MWRA has said their infrastructure is not designed for solid loading. Do they support on-site management systems that send organics down the drain?

A: MWRA is supportive of use of garbage disposals by residents, but not by businesses. While MWRA has a role, local wastewater utilities also are important as they maintain local wastewater collection systems. And a business typically needs a permit from the local wastewater utility to liquefy food waste and/or make it less acidic.

C: Business entities could donate more prepared foods for food donation.

R: There are more and more food recovery and rescue models out there. Organizations are coming in to target that aspect of food recovery. There a lot of models in eastern Massachusetts, but many areas exist that have no food recovery or donation activities.

Q: What is standing in the way of more food donation?

A: The main barrier is funding to increase rescue and donation programs and access. With some businesses, there are still liability concerns. And, in other cases, businesses do not want to take the time and effort to further separate food for donation and are ok with simply sending food waste to composting or anaerobic digestion

Q: Is MassDEP set on the half ton per week number?

A: No. It's the next logical number moving down from one ton and stakeholders have proposed this level, however MassDEP is not necessarily tied to it. If we were to consider lowering the threshold even further, we would have to gather information and analyze the infrastructure and cost implications of a lower threshold level.

C: The biggest problem with aerobic composting is odor. There are new aerobic technologies that are better at reducing odors than the current systems. If we can leverage these technologies it could address neighbor concerns and increase capacity at those sites.

C: We haven't thought about how the cannabis industry will play into a reduced waste ban threshold, especially the cultivators. A lower threshold would likely cause more of these entities to be subject to the food waste disposal ban.

C: There might be organizations beyond traditional composting and environmental organizations interested in supporting food waste reduction, such as foundations.

Questions and Information Needs

Q: Is there a way for MassDEP to require reporting from food waste generators on how they manage their food materials?

A: MassDEP would have to add a reporting provision to the waste ban regulations. While it could be beneficial to have that data, but MassDEP does not want to place an administrative burden on businesses or MassDEP. In developing the original commercial organics waste ban that took effect in 2014, MassDEP discussed the idea of a voluntary certification program with stakeholders but decided not to proceed with this given the resource commitment this would require.

C: A certification program could align with businesses marketing plans. Environmentally-friendly companies might want to have a sticker (like the LEED stickers we see displayed on buildings). Community stewardship is something they can promote to customers.

C: The EPA Food Recovery Challenge could be incorporated as a reporting and recognition system, since the administrative infrastructure for that already exists.

Q: Does Recycling Works collect data on waste reduction by businesses whom they assist?

A: Yes, to a degree. Every time Recycling Works does technical assistance, they prepare a summary report that estimates potential additional diversion on an annual basis. There may be an opportunity to collect more data going forward.

C: We need to flesh out current data to produce a good estimate for cumulative tonnage that could be diverted under a reduced ban threshold.

C: We need to determine the percentage of businesses subject to a revised ban by sector.