



Maryland

Department of
the Environment

House Bill 264

2021 Food Recovery Summit

David Mrgich, Chief, Waste Diversion Division

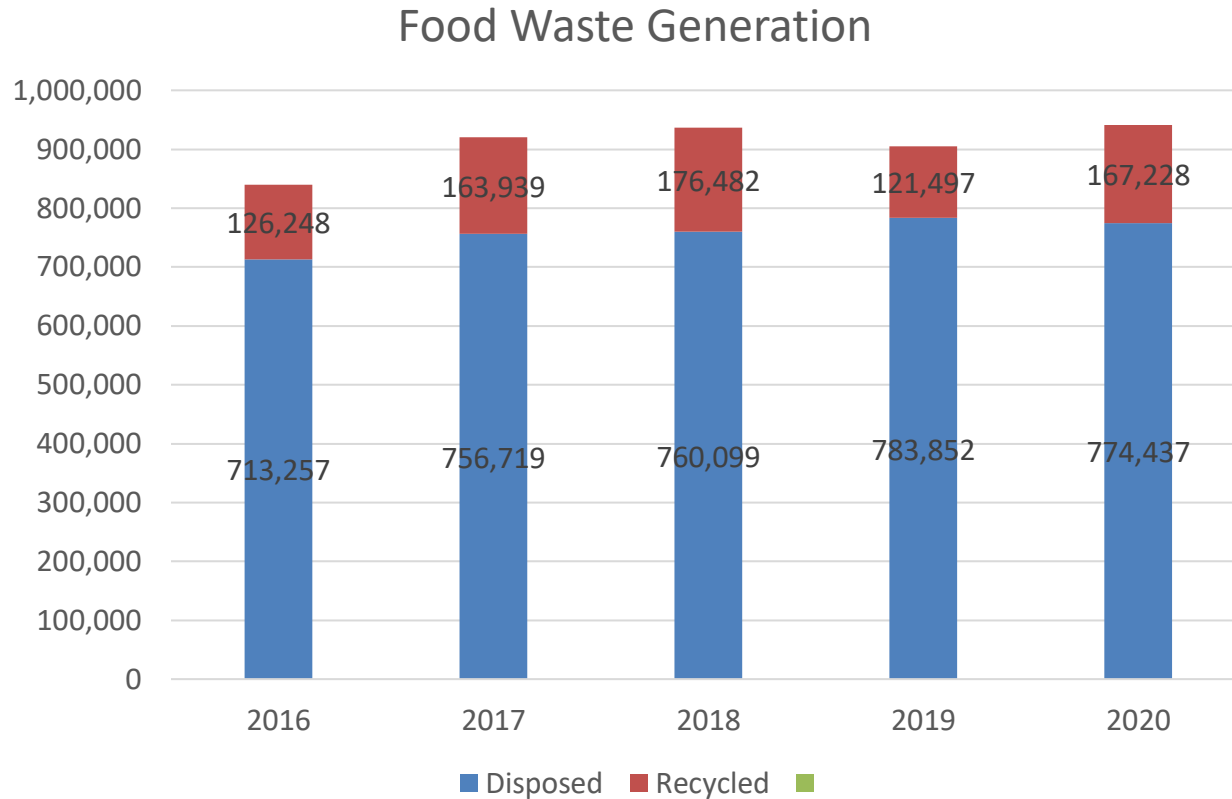


Maryland Food Waste Data

- MDE's statewide waste characterization study indicated that food waste comprised approximately 18% (774,000 tons) of waste disposed in Maryland in 2020
- Marylanders generated over 941,000 tons of food waste in 2020
- Only 167,000 tons were recycled (17.8%)



Food Waste Generation





Maryland's SMM Goals

As was directed in the *Waste Reduction and Resource Recovery Plan for Maryland* a series of voluntary statewide metrics and goals were established to track the State's progress in SMM. The goals are to be achieved by 2035.

SMM Goals	2035 Target	Current Status
Waste Generation Per Capita	5.5 lbs./person/day	6.13 lbs./person/day
GHG Emissions Reductions	Reduction of 1.2 million MTCO ₂ e compared to 2016	Increase of 1.9 million MTCO ₂ e compared to 2016
Reduction in Energy Use	Reduction of 5.1 trillion BTUs compared to 2016	Increase of 2.2 trillion BTUs compared to 2016
Material-Specific Recycling Rates	Food Scraps – 60% Glass – 55% Metal – 75% Paper Products – 65% Plastic – 25% Yard Trimmings – 85%	Food Scraps – 17.8% Glass – 55.8% Metal – 71.9% Paper Products – 37.0% Plastic – 9.9% Yard Trimmings – 84.8%
Overall Statewide Recycling and Waste Diversion Rate	Recycling – 55% Waste Diversion – 60%	Recycling – 38.2% Waste Diversion – 42.2%



2021 Legislative Session

- [HB 164 Ch. 289](#) and [SB 116 Ch. 290](#) - **Department of the Environment - Office of Recycling - Recycling Market Development.** Requiring the Office of Recycling in the Department of the Environment to promote the development of markets for recycled materials and recycled products in the State; requiring the Office to evaluate the availability of certain markets and identify businesses in the State that use recycled materials; requiring that the annual Maryland solid waste management and diversion report be submitted to the General Assembly by September 1, 2022, and each year thereafter, and include certain activities; etc. Sections 9-1702 and 9-1702.1 of the Environment Article, Annotated Code of Maryland.
- [HB 264 Ch. 439](#) and [SB 483 Ch. 440](#) - **Solid Waste Management - Organics Recycling and Waste Diversion - Food Residuals.** Requiring a certain person that generates food residuals to separate the food residuals from other solid waste and ensure that the food residuals are diverted from final disposal in a refuse disposal system in a certain manner; applying the requirements of the Act to certain persons that generate certain amounts of food residuals; authorizing a person experiencing undue hardship because of the costs of diverting food residuals to apply for a certain waiver; requiring the Department of the Environment to issue a certain warning; etc. Sections 9-201, 9-1701, and 9-1724.1 of the Environment Article, Annotated Code of Maryland.
- MDE is hiring 2 people to handle the responsibilities of these bills.



HB264

The law applies to:

- an individual facility owned or operated by a local school system
- an individual public primary or secondary school
- an individual nonpublic school
- a supermarket, convenience store, mini–mart, or similar establishment
- a business, school, or institutional cafeteria; and
- a cafeteria operated by or on behalf of the state or a local government

The law does not apply to:

- the aggregate of all school buildings and facilities in a local school system
- a restaurant establishment that accommodates the public and is equipped with a dining room with facilities for preparing and serving regular meals



HB264

The law applies to a person

- On or after January 1, 2023, generates at least 2 tons of food residuals each week
- On or after January 1, 2024, generates at least 1 ton of food residuals each week
- Generates the food residuals at a location that is within a 30-mile radius of an organics recycling facility that has the capacity to accept and process all of the person's food residuals; and
 - is willing to accept all of the person's food residuals for recycling
 - is willing to enter into a contract to accept and process the person's food residuals



Next Steps

- Identify the LFSG that are in the regulated community under the revised definition of a person.
- Research information on and develop outreach materials to generators subject to the food residuals diversion requirement.
- Develop mapping and other systems to identify existing composting facilities and the geographic areas within the 30-mile radius of those facilities.
- Perform outreach & education
- Establish guidelines to assist businesses in complying with the law.
- Develop a waiver application and process waiver requests from generators subject to the food residuals diversion requirement.
- Outreach to counties asking them to notify MDE if notice business subject to law or in violation of the law during routine inspections.
- Conduct inspections and other compliance activities on food residual generators.
- Create a program to distribute funds earned from penalties to finance incentives that encourage food waste reduction and composting in Maryland.

A vibrant still life of fresh vegetables. In the foreground, several bright orange carrots are scattered on a dark wooden surface. To their right are several ripe red tomatoes. A large, glossy red bell pepper sits prominently in the center. Behind it, a large bunch of fresh green spinach leaves is piled up. To the right of the spinach, a head of green broccoli is visible. In the background, a wicker basket is filled with more vegetables, including a head of green lettuce and another red bell pepper. On the left side, a whole pineapple with its green leaves is partially visible. The overall scene is brightly lit, highlighting the natural colors and textures of the produce.

DAVE.MRGICH@MARYLAND.GOV

QUESTIONS .. DISCUSSION