

## California

### **AB 1826 – Legislation signed into law September 28, 2014**

- Each jurisdiction by **January 1, 2016** must put an organics recycling program in place
- Starting April 1, 2016, certain CA entities are impacted. Impacted entities include “businesses” which are commercial or public entities plus multi-family dwellings > 5 units with landscaping services
- Impacted entities start with needing to recycle their organic waste if they generate >8 cubic yards of ORGANIC waste/week. Over time, that threshold both reduces AND it shifts from being based on organic waste generated to commercial solid waste generated so enforcement is easier (based on overall bin size).
- For multi-family dwellings, the trigger is essentially whether the dwelling has landscape services or not, since it’s based on green waste generated. As a result, essentially, a dwelling with landscaping services will need to recycle its green waste and other organics, but a dwelling without landscaping will probably not need to recycle organics because it won’t be triggered by the law.

## Connecticut:

### **Public Act 11-217 – Legislation Passed on July 13, 2011**

- Requires large producers (more than 104 tons/year) to divert to recycling facilities **if within 20 miles** of generator
- Organic waste includes food scraps, food processing residue and soiled or unrecyclable paper amongst others
- Activates January 1, 2014

### **Public Act 13-285 – Legislation Passed on July 12, 2013**

- Reduces requirement to producers producing 52 tons/year in 2020
- Only applies **if a licensed facility exists within 20 miles** of a generator

## Massachusetts:

### **Regulation 310 CMR 19.000 Takes Effect October 1, 2014<sup>1,2</sup>**

- Commercial Organic Material added to list of materials banned from disposal effective October 1, 2014
- Defined as food material and vegetative material from any entity that generates more than one ton of those materials for solid waste disposal per week, but excludes material from a residence.

## Minnesota:

### **Statute 115A.151 RECYCLING REQUIREMENTS; PUBLIC ENTITIES; COMMERCIAL BUILDINGS; SPORTS FACILITIES (2015)**

- Minnesota statute [115A.151](#): A public entity, the owner of a sports facility, and an owner of a commercial building shall: ensure that facilities under its control, from which mixed municipal solid waste is collected, also collect at least three recyclable materials, such as, but not limited to, paper, glass, plastic, and metal; and transfer all recyclable materials collected to a recycler.
- Recyclable materials are further defined in [115A.03](#) Definitions: "Recyclable materials" means materials that are separated from mixed municipal solid waste for the purpose of recycling or composting, including paper, glass, plastics, metals, automobile oil, batteries, **source-separated compostable materials, and sole source food waste streams that are managed through biodegradative processes**. Refuse-derived fuel or other material that is destroyed by incineration is not a recyclable material.

## Rhode Island:

### **SB 2315 – Signed into law June 30, 2014**

- On and after **January 1, 2016**, each covered entity and each covered educational institution shall ensure that the organic waste materials that are generated are recycled at an authorized, composting facility, or anaerobic digestion facility or by another authorized recycling method.
- Impacts waste generators of **104 Tons/year or more** (2 Tons/week) with a recycling center **within 15 miles**.

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<sup>1</sup> Preceded by voluntary program and AD siting/permitting regulations

<sup>2</sup> Primary goals include diverting 350,000 tons/year of organic material by 2020, reducing disposal by 80% by 2050, and supporting the development of renewable energy in Massachusetts

- Exception: if the tipping fee that the state landfill is charging for commercial generators is less than the tipping fee each recycling center within 15 miles is charging, the waste generator can request an exemption from recycling their organic waste.

**Vermont:**

**Universal Recycling Law: Act 148 – Legislation Passed in 2012<sup>3</sup>**

- **Bans disposal of certain solid waste from landfills including** leaf and yard debris and clean wood waste by July 1, 2016, and food scraps by 2020, initiated in phases
- **Requires parallel collection at facilities:** Facility owners that offer trash collection must also offer collection of leaf and yard debris by July 1, 2015, and food scraps by July 1, 2017.
- **Requires parallel collection at curbside:** Haulers that offer services for managing trash must also offer services for managing leaf and yard debris by July 1, 2016, and food scraps by July 1, 2017.
- **Phased in food scrap diversion:** Larger food scrap generators are immediately targeted to divert their food scraps if a certified facility is **within 20 miles** (phased-in by amount generated over time). By 2020, all food scraps, including those from households, must be diverted with no exemption for distance.

## Key Dates and Targeted Generator Definitions

*Chronologically ordered by initial implementation date*

<u>State</u>	<u>Targeted Generators</u>	<u>Implementation Date</u>
<b>Connecticut</b>		
	> 104 tons/year (2 tons/week)	January 1, 2014
	>52 tons/year (1 ton/week)	January 1, 2020
<b>Vermont</b>		
Act 148	> 104 tons/year (2 tons/week)	July 1, 2014
	>52 tons/year (1 ton/week)	July 1, 2015
	>26 tons/year (1/2 ton/week)	July 1, 2016
	>18 tons/year (~1/3 ton/week)	July 1, 2017
<b>Massachusetts</b>		
310 CMR 19.000	<b>Commercial Organic Waste Producers of &gt;1 ton/week</b> (The following is MADEP guidance as to covered facilities)	October 1, 2014
	Residential College or University – 730 students	
	Non-residential College or University– 2,750 students	
	Secondary School – 1,600 students	
	Hospital – 80 beds	
	Nursing Home – 160 beds	
	Restaurant – 70 or more full time employees	
	Resort/conference Property – 475 seats	
	Supermarket – 35 or more full time employees	
<b>New York City, New York</b>		
Local Law 146- 2013	<b>Covered Entities</b>	July 1, 2015
	Food manufacturer has a floor area space of at least 25,000 sqft	
	Food wholesaler has a floor area space of at least 20,000 sqft	
	Retail food store has a floor area space of at least 10,000 sqft	
	Arenas or stadiums with seating capacity of at least 15,000 persons	
	Food service establishment part of a chain of at least 2 food service establishments operating under a common name or common ownership in the city that has a combined floor area space of at least 8,000 square feet, or any location at which a food service establishment has a area space of at least 8,000 square feet	

<sup>3</sup> Other materials are also required to be recycled under this law. <http://www.anr.state.vt.us/dec/wastediv/solid/Act148.htm>

<u>State</u>	<u>Targeted Generators</u>	<u>Implementation Date</u>
	Food preparation establishment with floor area space of at least 6,000 sqft	
	Catering establishments that are required to provide for the removal of waste whenever the anticipated attendance for any particular event is greater than 100 persons	
	Food service establishments in hotels having at least 100 sleeping rooms	
<b>Rhode Island</b>		
S 2315	>104 tons/year of food residuals;	January 1, 2016
<b>California</b>		
AB 1826	Jurisdictions must have an organics recycling plan in place	January 1, 2016
	Impacted entities: Commercial or public entities ("businesses") plus multi-family dwellings > 5 units with landscaping services	
	Impacted entities generating >8 cubic yards of ORGANIC waste/week	April 1, 2016
	Impacted entities generating >4 cubic yards of ORGANIC waste/week	January 1, 2017
	Impacted entities generating >4 cubic yards of COMMERCIAL waste/week	January 1, 2019
	Impacted entities generating >2 cubic yards of COMMERCIAL waste/week	January 1, 2020

**- MUNICIPALITIES -**  
(in alphabetical order by city/county)

**Austin, Texas:**

**Resolution 20121213-097 – Passed December 13, 2012**

Declares 2013 the Year of Food Waste Prevention and Recovery — Curbside Organics Collection Pilot

**Types of Organic Waste Collected**

<u>Food Scraps</u>	<u>Food-Soiled Paper</u>	<u>Yard Trimmings</u>	<u>Other</u>
Cooked or raw meat, poultry and seafood (including bones)	Paper bags	Grass clippings	Cotton balls
Cheese	Paper napkins	Small branches	Dryer lint
Dairy products	Paper towels & Tissues	Small tree limbs (no longer than 5 feet & no thicker than 3 inches in diameter)	Popsicle sticks
Fruits & vegetables	Paper plates (with no plastic lining)	Tree roots	Saw dust (in paper bags)
Grains & nuts	Paper containers & take-out boxes (remove any metal or plastic)	Flowers	Pet fur/hair
Pasta, bread, baked goods & grains	Pizza boxes	Leaves	Shredded paper (in paper bags)
Eggshells	Paper cups	Plants	Toothpicks
Tea bags, tea leaves & coffee grounds	Coffee filters	Straw	Wooden chopsticks
Jelly, candy & snack foods	Microwavable popcorn bags	Soil	
Spoiled food	Newspaper		

**Universal Recycling Ordinance (URO)**

Starting Oct. 1, 2016, Austin's [Universal Recycling Ordinance](#) requires food permitted facilities to establish programs to divert organic material (e.g. wasted food, yard trimmings) from landfills. Minimum requirements include:

1. Submission of an online Organics Diversion Plan (due by Feb. 1 each year) at [austintexas.gov/odp](http://austintexas.gov/odp)
2. Reduce or divert organic material generated onsite, on a weekly basis
3. Post informational signs in both English and Spanish, or an additional language
4. [Educate employees](#) about the organics diversion program annually and within 30 days of hire
5. Place exterior organics collection receptacles within 25-feet of landfill trash containers

<b>Permitted Area (sqft)</b>	≥ 15,000 sqft	≥ 5,000 sqft	ALL
<b>Date Affected</b>	Oct. 1, 2016	Oct 1, 2017	Oct 1, 2018

**Bridgewater, Connecticut:**

- Voluntary residential food scrap recycling through the [Housatonic Resources Recovery Authority](#).
- See above for more detail on Connecticut’s state-wide commercial organics recycling policy.

**Hennepin County, Minnesota (including Minneapolis):**

- For compliance with state statute 115A.151, Grants, free signage, best practices, recognition and more info available [here](#).
- Voluntary residential recycling is strongly supported with a [residential organics recycling program](#), plus [yard signs and training](#) for residential “Recycling Block Leaders.”

**New Fairfield, Connecticut:**

- Voluntary residential [food scrap recycling](#) through the [Housatonic Resources Recovery Authority](#).
- See above for more detail on Connecticut’s state-wide commercial organics recycling policy.

**New Milford, Connecticut:**

- Expected to start a voluntary residential food scrap recycling program soon through the [Housatonic Resources Recovery Authority](#).
- See above for more detail on Connecticut’s state-wide commercial organics recycling policy.

**Newtown, Connecticut:**

- Voluntary residential food scrap recycling through the [Housatonic Resources Recovery Authority](#).
- See above for more detail on Connecticut’s state-wide commercial organics recycling policy.

**New York City, New York:**

**Local Law 146-2013 – Legislation Passed on December 30, 2013<sup>4,5</sup>**

- Under this bill, on or after July 1, 2015, covered entities would have to engage in at least one of the following three alternatives methods of handling their organic waste:
  1. arrange for separate collection of organic waste by a private carter for purposes of composting, anaerobic digestion, or other such method of processing organic waste
  2. transport their organic waste to a facility that engages in organic waste processing
  3. engage in on-site, in vessel composting, anaerobic digestion, or other approved method
- Such entities would be required to provide
  - separate bins for organic waste
  - post instructions about the proper separation of organic waste
  - post signage providing information on its organic waste handling
- Residential recycling programs have also been developed and are expanding. [Find out more here](#).

**Redding, Connecticut:**

- Expected to start a voluntary residential food scrap recycling program soon through the [Housatonic Resources Recovery Authority](#).
- See above for more detail on Connecticut’s state-wide commercial organics recycling policy.

**Ridgefield, Connecticut:**

- Voluntary residential food scrap recycling through the [Housatonic Resources Recovery Authority](#).

<sup>4</sup> Part of PlaNYC’s goal of diverting 75% of all solid waste from landfills by 2030

<sup>5</sup> Diversion of organic waste would also eliminate a potent source of GHG, helping the City to achieve another PlaNYC goal of 30% greenhouse gas emission reductions by 2030

- See above for more detail on Connecticut's state-wide commercial organics recycling policy.

### **San Francisco, California:**

#### **Ordinance Number 100-09 – Regulation Effective November 10, 2009**

- All persons must source separate their refuse into recyclables, compostables and trash, into separate containers
- Owners or managers of multifamily or commercial properties must:
  - Provide Adequate Refuse Collection Service to the tenants, employees, contractors, and customers
  - Supply appropriate containers, placed in an appropriate location, to make source separation convenient
  - Provide information and/or training for new tenants, employees and contractors, including janitors on how to source separate recyclables, compostables and trash
  - Re-educate existing tenants, employees and contractors at least once a year
  - Their contractors will work with on-site janitors to create effective source separation programs as a means of achieving compliance
- Owners or managers of food vendors and events must:
  - When providing disposable food ware, have at least one container each for recyclables, compostables and trash for use by customers and visitors, placed inside near a main exit
  - Multiple food vendors that provide disposable food service ware and share a common eating area may share an appropriate number, size, and placement of containers for recyclables, compostables and trash for convenient use by customers or visitors.
- Food vendors and events must not put any fats, oils or grease in trash collection containers
- Collectors must:
  - Leave a tag on the container identifying the incorrect materials if a collector finds materials that are not the correct type as designated for that container
  - Upon request, provide to the Director a list of the names and addresses of those persons who have received tags or notices or whose containers have not been emptied due to non-compliance.
  - Provide to the Director, upon request, a list of the names, addresses, and service levels of the collector's customers and any additional information required by the Director.
  - Produce an annual report of all tons collected by material type and to whom the material was sent within 90 days of the end of each calendar year

### **Seattle, Washington:**

#### **Ordinance Number 1122844 - Legislation Passed on December 2, 2008 - Curbside Compostable Waste Collection**

- Yardwaste shall not be mixed with garbage, refuse or rubbish for disposal.
- **Effective March 30, 2009**, curbside/alley compostable waste service will be mandatory for all residential solid waste can accounts, except customers who actively compost all vegetative foodwaste on-site
  - Customers must agree to comply with public and environmental health guidelines and allow Seattle Public Utility representatives to evaluate their composting methods
- Compostable waste shall be set apart from refuse in a manner that is readily identifiable by the collectors
- Compostable waste shall not include wood or tree limbs over 4 feet long
- Only compostable waste generated at the dwelling unit shall be collected at curbside
- Compostable waste shall not be collected in plastic bags

#### **Ordinance Number 123307 - Legislation Passed on May 20, 2010- Compostable Food Service Ware**

- **Effective July 1, 2010**, food service businesses shall be prohibited from selling or providing food, for consumption on or off the premises, in or with disposable food service ware
- Acceptable alternatives for prohibited disposable food service ware shall be compostable or recyclable
- Food service businesses must provide conveniently located and clearly marked containers where customers may discard compostable and recyclable food service ware and must provide for the collection and delivery of these materials to appropriate processing facilities
- Landlords of food service businesses subject to the requirement shall make adequate space and/or services available to such food service businesses for the collection and pick up of the compostable and recyclable materials

#### **Ordinance Number 124582 - Legislation Passed on September 22, 2014 – Disposal as Garbage**

- **Effective January 1, 2015**, all commercial establishments, including those hauling their own waste, shall separate paper, cardboard and yard waste for recycling, and no paper, cardboard or yard waste shall be deposited in garbage containers, or drop boxes or disposed as garbage at the City's transfer stations.
- **As of January 1, 2015**, all residents living in single- family structures, multifamily structures and mixed-use buildings shall separate food waste and compostable paper for recycling, and no food waste or compostable paper shall be deposited in a garbage container or drop box or disposed as garbage at the City's transfer stations

- All commercial establishments that generate food waste or compostable paper shall subscribe to a composting service, process their food waste onsite or self-haul their food waste for processing. All building owners shall provide composting service for their tenants or provide space for tenants' own food waste containers.
- **As of July 1, 2015**, any violation shall result in an additional collection fee of \$50 per collection.

### **Vancouver, British Columbia:**

#### **1431 Solid Waste Organics Bylaw – Passed December 13, 2012**

- **Effective 2015**, compostable organic materials will need to be separated from regular garbage
- The Ban will apply to all residential and commercial/institutional waste generators across the Metro Vancouver region, including:
  - Commercial buildings (examples include grocery stores, restaurants, hotels, retail stores and shopping malls)
  - Institutional and industrial buildings (examples include health care facilities and schools)
  - Single family and multi-family residential buildings and mixed-use buildings (examples include apartments and offices)
- Residents of multi-family and mixed-use buildings may need to add organics collection to their contracted waste-removal service. For the commercial and institutional/industrial sectors, food waste will either need to be processed on-site (usually by composting), donated (usable leftover food) or transported to an appropriate processing facility for composting or energy recovery.
- Examples of organic materials include:
  - Meats and fish
  - Bones and seafood shells
  - Eggshells
  - Pasta, bread and rice
  - Dairy products
  - Sauces, dressings, etc.
  - Vegetable and fruit peels, seeds and pits
  - Desserts
  - Coffee grounds/filters and tea bags
- Food-soiled paper (uncoated paper products soiled with food) will also need to be separated from garbage:
  - Waxed cardboard boxes
  - Pizza boxes
  - Paper plates/cups
  - Paper towels/napkins
  - Paper egg cartons
  - Food-soiled newspaper
  - Paper bags and kraft paper liner bags used for collecting scraps

### **Washington, DC:**

#### **Sustainable DC Omnibus Amendment Act of 2014**

- By January 1, 2017, no food service business shall sell or provide food or beverages, for consumption on or off premises, in disposable food service ware unless the disposable food service ware is compostable or recyclable.

#### **Sustainable Solid Waste Management Amendment Act of 2014**

- Establishes the District's solid waste hierarchy: (1) Source reduction and reuse; (2) Recycling or composting of solid waste, or conversion of compostable solid waste into biofuel; and (3) Landfill or incineration of solid waste.
- Establishes an Office of Waste Diversion within the Department of Public Works and an Interagency Waste Reduction Working Group ("Working Group") to regularly evaluate the District's solid waste management and diversion activities and policies, and sustainable waste management and diversion practices, policies, and techniques that could be established in the District.
- A surcharge on the disposal of solid waste at the District's solid waste disposal facilities of, at a minimum, \$1 per ton. Revenue from this surcharge shall be deposited in the Solid Waste Diversion Fund to be used to be used to offset the cost of developing new and additional methods of solid waste diversion in the District.

*(last updated December 15, 2016)*