



Maryland
Department of
the Environment

Organics Recycling and Waste Diversion **Food Residuals**

**Does Maryland's Food Residuals Diversion Law
Apply to Me?**

Detailed Presentation on Determining Applicability

Prepared by:
Land and Materials Administration



What is the Food Residuals Diversion Law?

- The law referenced throughout this presentation is [House Bill 264/Senate Bill 483](#), passed by General Assembly in 2021, entitled ***Solid Waste Management – Organics Recycling and Waste Diversion – Food Residuals***
- Requires persons that generate food residuals to divert them from final disposal in a refuse disposal system such as a landfill or incinerator if:
 - 1) The person generates:
 - Beginning January 1, 2023, at least 2 tons of food residuals each week
 - Beginning January 1, 2024, at least 1 ton of food residuals each week

and
 - 2) The person is located within 30 miles of an organics recycling facility with the capacity and willingness to enter into a contract to accept all of the person's food residuals for recycling



What are “food residuals”?

The law defines food residuals as materials derived from the processing or discarding of food, including pre- and post-consumer vegetables, fruits, grains, dairy products, and meats



Image: [Pixabay](#) Ben_Kerckx COMPOST

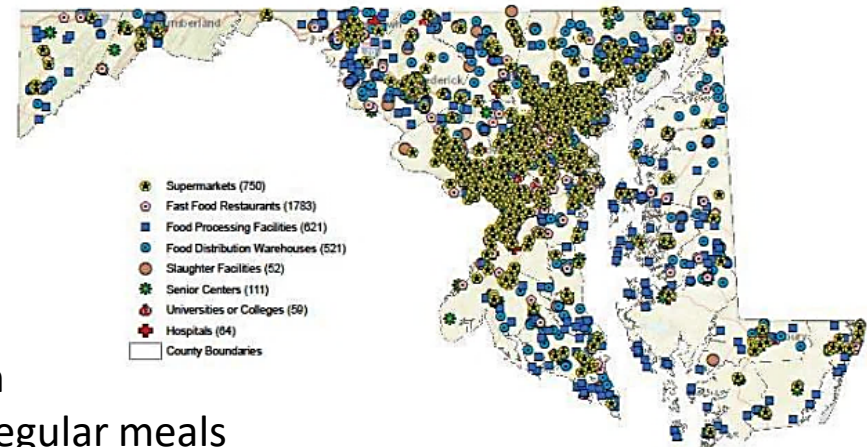


What's a person under the law?

Step 1) Determine if you are a “Person” under the law

- A person is a facility that generates food residuals, such as a school, supermarket, business cafeteria, etc.
- A person does not include:
 - Aggregate (total) of all school buildings/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

Figure 3 - Large Food Waste Generators



See [Determination of Applicability for Food Residual Diversion Requirement](#)

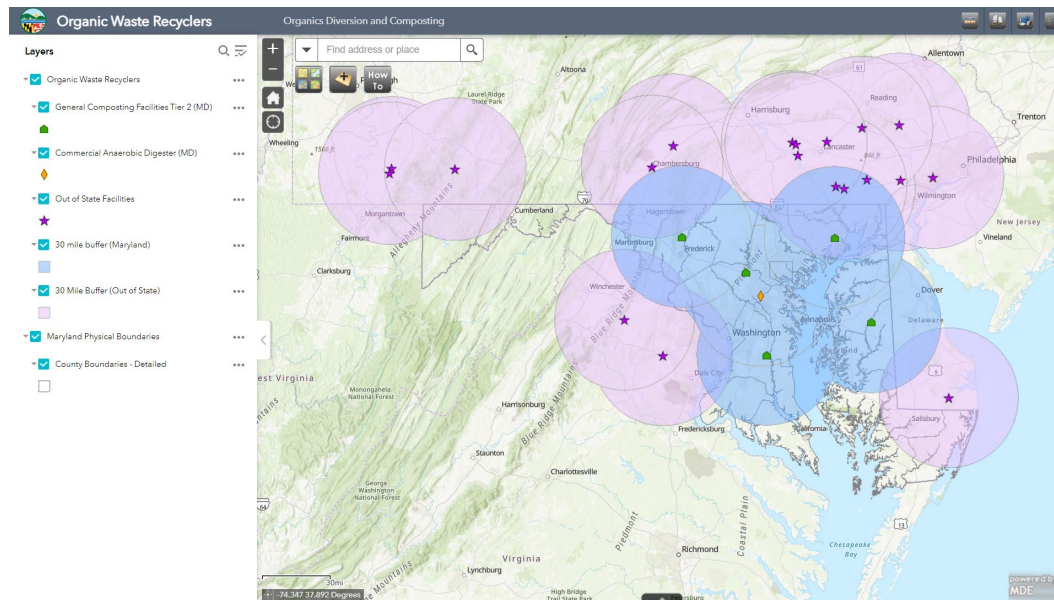


Location of Organics Recycling Facility

Step 2) Determine your distance to an Organics Recycling Facility

Are you located within 30 miles of an organics recycling facility with the capacity and willingness to accept all of your food residuals?

- It is your responsibility to directly contact an organics recycling facility to determine the facility's ability to accept your food residuals



- MDE's Organic Waste Recyclers [map](#) can help in identifying organics recycling facilities
map is for informational purposes only



Location of Organics Recycling Facility

Search Your Address

Organic Waste Recyclers Organics Diversion and Composting

Layers

- ☒ Organic Waste Recyclers
- ☒ General Composting Facilities Tier 2 (MD)
- ☒ Commercial Anaerobic Digester (MD)
- ☒ Out of State Facilities
- ☒ 30 mile buffer (Maryland)
- ☒ 30 Mile Buffer (Out of State)
- ☒ Maryland Physical Boundaries
- ☒ County Boundaries - Detailed

Search: 1800 WASHINGTON BLVD X

Show search results for 1800 ...

Search result (1 of 4)

1800 WASHINGTON BLVD, BALTIMORE, MD, 21230

Show more results

Zoom to

Are you located within the 30-mile radius (bubble) of an organics recycler?

Contact organics recyclers within 30 miles to inquire about their ability to accept your food residuals

Facility Name	Facility Contact	Facility Phone	Facility Email	Website
Twin Maples Compost Facility	Ryan Slack	(336) 207-9310	rslack@midatlanticorganic.com	https://midatlanticorganic.com/
Veteran Compost - Aberdeen	Justen Garrity	(443) 584-3478	info@veterancompost.com	https://www.veterancompost.com/
Composting Facility at Alpha Ridge Landfill	Bureau of Environmental Services	(410) 313-6444		https://www.howardcountymd.gov/public-works/composting-facility
Prince George's County Organics Composting Facility	Nancy Faulkner, Marketing	(410) 729-8393	nfaul@menv.com	https://www.princegeorgescountymd.gov/Composting-Facility
Key City Compost at Utica Bridge Farm	Phil Westcott	(240) 608-0283	info@keycompost.com	https://www.keycompost.com/

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Waste Assessment: Food Residuals Thresholds

Step 3) Determine the weight of food residuals generated weekly



Image [Source](#)

The law requires a facility to divert food residuals from disposal if:

- Beginning January 1, 2023, they generate at least 2 tons of food residuals each week
- Beginning January 1, 2024, they generate at least 1 ton of food residuals each week

A person can calculate the weight of food residuals by using several waste assessment methods



Waste Assessment Method: Scale Weight

Step 3) continued...

- Take an actual weight measurement of the food residuals after their separation from other solid waste
- This is the preferred and most accurate measurement



Image Source <https://sustainability.lafayette.edu>



Waste Assessment Method: Container Size

Step 3) continued...

- A weight estimate determined by using the volume of food residuals generated, as measured by the [container size](#)



www.globalindustrial.com



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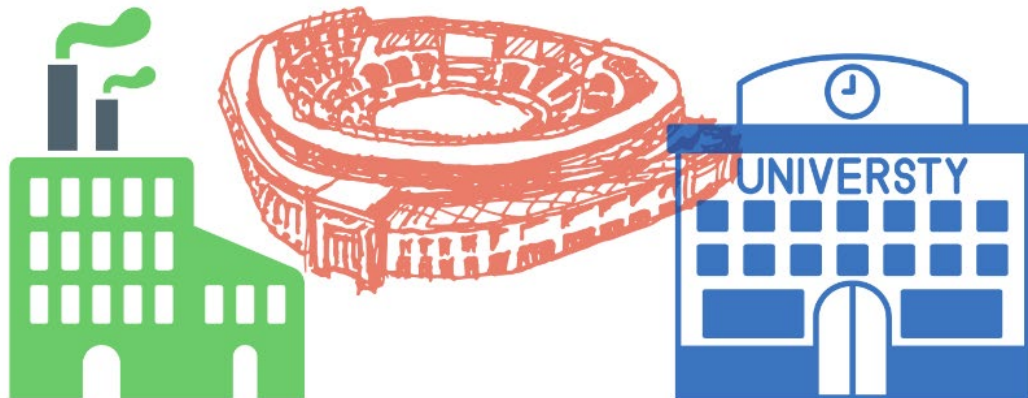
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Waste Assessment Method: Industry Sector

Step 3) continued...

- Generation factors have been approved by MDE for use in estimating the weekly tons of food residuals by industry type
- This information can be found in the document “[Maryland Food Residual Generation Factor Estimates by Industry Sector, September 2020](#)”





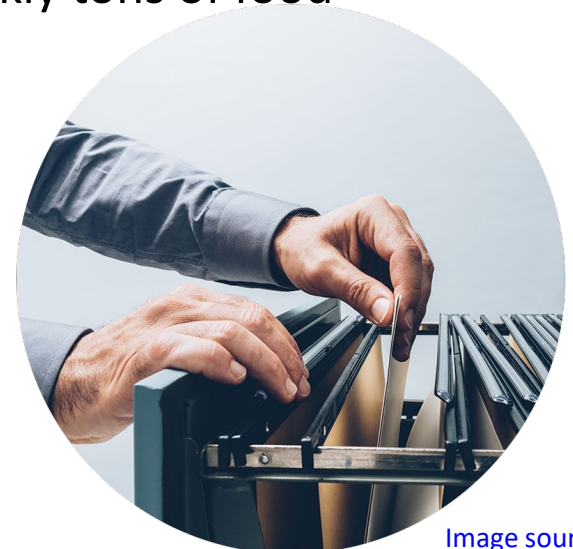
Documentation of Determination

A facility must document whether they are subject to the food residuals diversion law.

- ☒ Meet the law's definition of a "person"?
- ☒ Located within 30 miles of an organics recycling facility with the capacity and willingness to accept all food residuals for recycling?
- ☒ Generate at least 2 tons or 1 ton of food residuals each week?

At a minimum, the facility shall maintain onsite the following information for each waste assessment conducted to determine weekly tons of food residuals generated:

- How weight was calculated
- Breakdown of waste streams, by type, weight and date(s) assessed
- Facility name and address
- Person(s) performing waste assessment
- Summary of food residual totals – tons each week



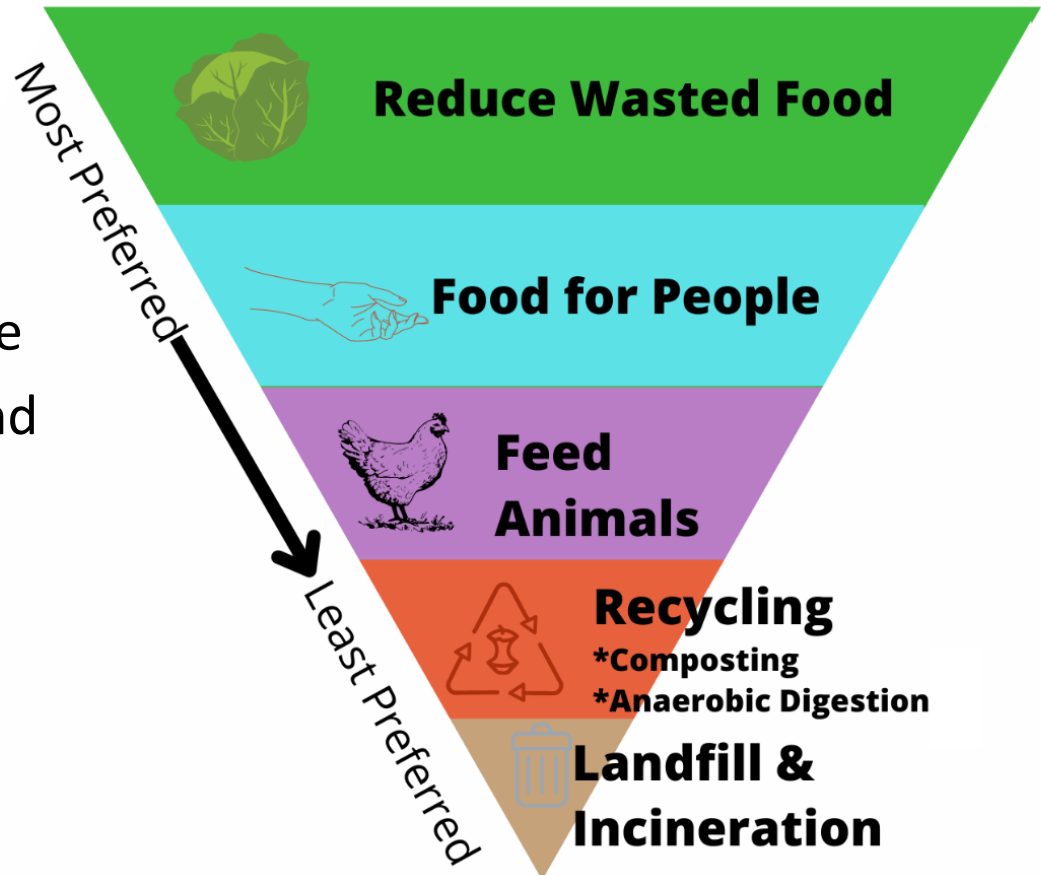
[Image source](#)



Methods of Diversion

- Prevention
 - Reduce wasted food
- Rescue
 - Donate food for people
 - Use as feed for pets and animals
- Recycling
 - Composting
 - Anaerobic Digestion

Maryland's Food Recovery Hierarchy





Questions and Discussion

- MDE points of contact in the Land and Materials Administration - Waste Diversion Division
 - Tim Kerr Timothy.Kerr2@maryland.gov
 - Shannon McDonald Shannon.McDonald@maryland.gov
 - Phone: 410-537-3314

- Website

<https://mde.maryland.gov/programs/land/RecyclingandOperationsprogram/Pages/Solid-Waste-Management---Organics-Recycling-and-Waste-Diversion---Food-Residuals.aspx>

- Stay in the know!

https://docs.google.com/forms/d/e/1FAIpQLSfJ9F8GPIvYtq3TkaypD-7ccXmg66GFRK-UUICyw512O37p-g/viewform?usp=sf_link