

**NRCM Proposed Amendments to LD 1578 as of 2/16/16**  
**Sections 1.3, 1.13.1.18; Section 2; Section 3; Sections 5.7, 5.8, and Section 12**

**Sec. 1. 38 MRSA §1611 Stewardship program for small batteries**

**3. Submission of plan.** No later than 6 months after the effective date of this section, except as specified in subsection 6 or 9, each producer of a covered battery or covered battery-containing product, individually or through a covered battery stewardship organization that has agreed to act on the producer's behalf, shall submit a plan for the establishment of a covered battery stewardship program to the commissioner for approval. The plan must include, at a minimum and where applicable:

A. If the plan is submitted by an organization, a list of the producers participating in the organization and a list of each producer's brands of covered batteries and covered battery-containing products;

B. A description of the outreach procedures that will be used to provide notice of the program to businesses, local agencies, retailers, wholesalers and waste transportation services;

C. A description of the methods that will be used to responsibly manage discarded covered batteries to ensure that the components of the discarded batteries, to the extent economically and technically feasible, are recycled or otherwise responsibly managed;

D. A description of the manner by which the program will use covered battery collection points that are established through other battery collection programs;

E. A description of educational activities planned by the producer or organization and how educational activities will be evaluated;

F. A description of the collection system, including:

(1) The types of sites or other collection services to be used;

(2) How all products covered under the product stewardship program will be collected in all counties of the State; and

(3) How the collection system will be convenient and adequate to serve the needs of all entities;

G. A description of how the convenience and adequacy of the collection system will be monitored and maintained

H. Performance goals established by producers or a stewardship organization to show success of the program; and

I. If the plan is submitted by an organization or by a producer that does not operate physical retail locations in the State, a description of how the program will provide convenient, free statewide collection opportunities for discarded batteries; and

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JG. If the plan is submitted by an organization, a description of the financing method through which implementation of the plan will be funded. The financing method must:

(1) Allocate to producers of primary batteries and primary battery-containing products costs that are directly attributable to the recycling of primary batteries, such as reclamation costs;

(2) Allocate to producers of small rechargeable batteries and rechargeable battery-containing products costs that are directly attributable to the recycling of rechargeable batteries, such as reclamation costs; and

(3) Allocate all other costs on the basis of the weights of types of batteries collected or some other nondiscriminatory basis acceptable to participating producers of primary batteries, small rechargeable batteries, primary battery-containing products and rechargeable battery-containing products.

**13. Reporting.** On or before May 1st of each year, beginning 2 years after the date a covered battery stewardship plan is approved by the commissioner, the producer or organization administering the program implementing the approved plan shall submit to the commissioner a report describing activities carried out by the program pursuant to the plan during the previous calendar year. The report must include, at a minimum, the following information:

A. The weight and type of material of covered batteries collected by the program in the previous calendar year;

B. The location of and contact information for each collection point established under the program;

C. A description of the manner in which collected covered batteries and covered battery-containing products were sorted, consolidated and processed by the program including a description of the methods used to collect, transport and process the product;

D. An evaluation of the program against performance goals, including an estimated collection rate based on the estimated total sale of batteries and battery containing products

ED. A description of the educational materials developed and used by the program, including examples of such materials and an evaluation of the convenience of collection and the effectiveness of outreach and education. Every 2 years, the report must include the results of an assessment of the methods used for and effectiveness of education and outreach efforts. The assessment must be completed by a 3rd party; ~~and~~

F. Any recommendations for changes to the product stewardship program to improve convenience of collection, consumer education and program evaluation.

GE. If the report is filed by a covered battery stewardship organization, a summary financial statement documenting the financing of the program consistent with the requirements of subsection

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3, paragraph G. If an organization operates a similar program in another state, the organization may meet the requirements of this paragraph by submitting a summary financial statement that consolidates information for all states in which it operates covered battery stewardship programs without providing financial information specific to its program in this State.

**18. Repeal Review.** – The department shall recommend revisions and repeal, if appropriate, 9 years after the date on which a covered battery stewardship plan is first approved by the commissioner under subsection 4., except that an authorized organization, as defined in subsection 15, paragraph A, subparagraph (3), may, in accordance with subsection 15, recover after the repeal of this section costs incurred prior to the repeal of this section in collecting and recycling covered batteries discarded in the State. The Department shall report its findings to the joint standing committee of the Legislature having jurisdiction over natural resource matters and that committee may propose legislation based on those findings.. The commissioner shall notify the Revisor of Statutes when a covered battery stewardship plan is first approved by the commissioner under subsection 4.

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**Sec. 2. 38 MRSA §2132, sub-§1,** as amended by PL 2011, c. 655, Pt. GG, §32 and affected by §70, is further amended to read:

**1. State recycling goal.** It is the goal of the State to recycle or compost, by January 1, ~~2014~~2021, 50% of the municipal solid waste tonnage generated each year within the State.

**1-A. State waste disposal –reduction goal.** It is the goal of the State to reduce the biennial ~~generation~~per capita disposal of municipal solid waste tonnage delivered to any solid waste disposal facility, solid waste processing facility, incineration facility or solid waste landfill by 5% beginning on January 1, 2017~~09~~ and by an additional 5% every subsequent 2 years. This reduction in solid waste tonnage, after January 1, 2017~~09~~, is a biennial goal. The baseline for calculating this reduction is the 2012~~03~~ solid waste ~~generation–disposal~~ data ~~gathered by the former State Planning Office.~~

**2. Goal revision.** The department shall recommend revisions, if appropriate, to the state recycling goal and waste disposal reduction goal established in this section. The department shall submit its recommendations and any implementing legislation to the joint standing committee of the Legislature having jurisdiction over natural resource matters.

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**Sec. 3. 38 MRSA §2145** is enacted to read:

**§ 2145. Commercial food ~~waste composting~~ recovery requirement**

**Food Recovery Hierarchy**

(a) It is the policy of the state that food residuals collected under the

requirements of this section shall be managed according to the following order of priority uses:

- (1) Reduction of the amount generated at the source;
- (2) Diversion for food consumption by humans;
- (3) Diversion for agricultural use, including consumption by animals;
- (4) Composting, land application, and digestion.

**1. Definitions.** As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Composting facility" means a solid waste processing facility, as defined in section 1303-C, subsection 32-A, where organic materials are processed using a method of accelerated biological decomposition of organic material under controlled aerobic or anaerobic conditions.

B. "Food ~~waste~~residual" means food material produced from human or animal food production, preparation and consumption activities that consists of, but is not limited to, fruits, vegetables and other vegetative material, grains and fish and animal products and by-products. "Food ~~waste~~residual" does not include biomedical waste, hazardous waste or septage, as defined in section 1303-C, subsections 1-A, 15 and 27, respectively.

C. "Large quantity commercial food ~~residual-waste~~ generator" means a commercial entity that generates one ton or more of food ~~waste-residual~~ per week, including, but not limited to, a food wholesaler or distributor, a food manufacturer or processor, a restaurant, a hospital, a university or other educational institution, a grocery store, a resort or a conference center.

**2. Composting Food recovery requirement.** Except as provided in this section, beginning January 1, 2020, a large quantity commercial food ~~waste-residual~~ generator that is located within 20 miles of a composting facility with available capacity to accept the food waste produced by the generator shall deliver all food waste produced by the generator to a composting facility for processing.

A. For the purposes of this section, a composting facility located outside of the State must be considered in determining whether a large quantity commercial food waste generator is located within 20 miles of a composting facility with available capacity.

B. A large quantity commercial food waste generator subject to this section may elect to deliver the food waste produced by the generator to a composting facility with available capacity located more than ~~20-40 road~~ miles from the generator.

C. A large quantity commercial food waste generator is deemed in compliance with this section if it performs composting of its generated food waste on site or otherwise treats its generated food waste using an on-site organic treatment method approved by the department.

**3. Waiver Exceptions.** The department ~~may~~may allow de minimis quantities of food residuals, as determined by the department, to be disposed by the generator. The department may require, in lieu of an enforcement action a modified plan to be submitted when food residuals are being disposed of in excess of approved amounts. ~~provide a waiver from the requirements of this section for a large quantity commercial food waste generator that demonstrates to the department's satisfaction that compliance with the requirements of this section would result in substantial financial hardship for the generator.~~

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A. The department may award a grant or low-interest loan under section 2201-B to a large quantity commercial food waste-residual generator to assist the generator in meeting the requirements of this section through implementation of a food waste-residual composting program. The department may not approve an exception-waiver under this subsection unless the generator seeking the waiver exception has applied for a grant or low-interest loan under section 2201-B.

B. The department shall adopt rules consistent with subsection 4 setting forth the criteria for approval of an -waiverexception under this subsection.

**4. Rules.** The department shall adopt rules to implement the provisions of this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

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**Sec. 5. 38 MRSA §2201-B** is enacted to read:

**§ 2201-B. Maine Composting and Recycling Grant and Low-interest Loan Program**

**7. Grants and loans for recycling of construction and demolition debris.** The department may award funds under this section to commercial programs, projects, initiatives or activities that propose to recycle construction and demolition debris generated in the State consistent with the department's eligibility criteria under this section. ~~For the purposes of this subsection, the use of construction and demolition debris as fuel in industrial boilers or waste to energy facilities for the generation of heat, steam or electricity constitutes recycling.~~

**8. Repeal Review.** ~~This section is repealed December 31, 2026. The department shall evaluate this program and recommend repeal, if appropriate, to this section on December 31, 2016. The department shall submit its recommendations and any implementing legislation to the joint standing committee of the Legislature having jurisdiction over natural resource matters. That committee may propose legislation based on those findings.~~

**9. Rules.** The department may adopt rules to implement this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

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**Sec. 12. Department of Environmental Protection; beneficial use rules.** As soon as practicable, the Department of Environmental Protection shall ~~amend-review the testing methods for~~ fuel quality standards for construction and demolition debris wood fuel under its existing Rule Chapter 418: Beneficial Use of Solid Wastes. ~~to increase the allowance for chromated copper arsenate treated wood from less than 1.5% to less than 2.0% and to increase the allowance for #4 minus fines for sources other than publicly owned sources from 10% to 15%. The Department shall report its findings to the joint standing committee of the Legislature having jurisdiction over natural resource matters. That committee may propose legislation based on those findings.~~



Senate Fiscal Agency  
P. O. Box 30036  
Lansing, Michigan 48909-7536

## BILL ANALYSIS



Telephone: (517) 373-5383  
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Senate Bill 507 (as reported without amendment)  
Sponsor: Senator Mike Green  
Committee: Natural Resources

**CONTENT**

The bill would add Part 175 (Recycling Reporting) to the Natural Resources and Environmental Protection Act to do the following:

- Require a recycling establishment to register annually with the Department of Environmental Quality (DEQ).
- For recycling activities occurring on or after October 1, 2016, require a recycling establishment to report to the DEQ the amount of recyclable material received by and shipped from the establishment, broken down into specified categories.
- Allow a person that was not a recycling establishment to report to the DEQ voluntarily.
- Provide for the confidentiality of identifying information contained in a report from a recycling establishment.
- Allow the DEQ to aggregate report data to determine statewide quantities of recyclable materials that were recycled.
- By January 31, 2018, and then annually, require the DEQ to report to the Legislature on Part 175.

"Recycling establishment" would mean an establishment engaged in recycling of, or brokering of, reportable recyclable materials (as defined in the bill). The term would not include an establishment that recycles fewer than 100 tons per year; a retail establishment that bales cardboard packaging for off-site shipment, or that collects returnable beverage containers for transfer to a recycling establishment; an end-use of reportable recyclable materials; a drop-off recycling location that sends materials to a registered establishment; or an establishment that ships material to registered establishments but does not engage in other recycling.

Proposed MCL 324.17501-324.17505

Legislative Analyst: Julie Cassidy

**FISCAL IMPACT**

The bill would have a minor, but negative fiscal impact on the Department of Environmental Quality, and no fiscal impact on local government. The DEQ would have to develop forms for recycling establishments to use for reporting, receive those reports, and publish an annual report aggregating the contents of the reports it received from recycling establishments. All of these requirements would introduce some new, but likely minor administrative costs to the DEQ. Beginning in fiscal year 2014-15, the DEQ has been appropriated about \$1.0 million annually from the State General Fund for a new recycling initiative intended to increase the availability of residential recycling and to develop markets within Michigan for recycled products. While the bill does not specify how any new costs introduced by the bill would be covered, it is likely that some of the appropriated funds could be used to cover those costs.

Date Completed: 12-4-15

Fiscal Analyst: Josh Sefton

floor\sb507

Bill Analysis @ [www.senate.michigan.gov/sfa](http://www.senate.michigan.gov/sfa)

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.

# SENATE BILL No. 507

September 24, 2015, Introduced by Senators GREEN, SCHMIDT, O'BRIEN, BRANDENBURG, WARREN, EMMONS, PAVLOV, KOWALL, SCHUITMAKER, MACGREGOR and ZORN and referred to the Committee on Natural Resources.

A bill to amend 1994 PA 451, entitled  
"Natural resources and environmental protection act,"  
(MCL 324.101 to 324.90106) by adding part 175.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

PART 175 RECYCLING REPORTING

SEC. 17501. AS USED IN THIS PART:

(A) "COMMERCIAL WASTE" MEANS ALL TYPES OF SOLID WASTE  
GENERATED BY STORES, OFFICES, RESTAURANTS, WAREHOUSES, AND OTHER  
NONMANUFACTURING ACTIVITIES, BUT DOES NOT INCLUDE HOUSEHOLD WASTE  
FROM SINGLE RESIDENCES, HAZARDOUS WASTE, OR INDUSTRIAL WASTE.

COMMERCIAL WASTE INCLUDES SOLID WASTE FROM ANY OF THE FOLLOWING:

- (i) MULTIPLE RESIDENCES.
- (ii) HOTELS AND MOTELS.
- (iii) BUNKHOUSES.
- (iv) RANGER STATIONS.

1 (v) CAMPGROUNDS.

2 (vi) PICNIC GROUNDS.

3 (vii) DAY-USE RECREATION AREAS.

4 (B) "DEPARTMENT" MEANS THE DEPARTMENT OF ENVIRONMENTAL  
5 QUALITY.

6 (C) "HOUSEHOLD WASTE" MEANS ANY SOLID WASTE THAT IS DERIVED  
7 FROM SINGLE RESIDENCES, BUT DOES NOT INCLUDE ANY OF THE FOLLOWING:

8 (i) COMMERCIAL WASTE.

9 (ii) INDUSTRIAL WASTE.

10 (iii) CONSTRUCTION AND DEMOLITION WASTE.

11 (D) "RECYCLABLE MATERIALS" MEANS THAT TERM AS IT IS DEFINED IN  
12 SECTION 11505.

13 (E) "RECYCLING" MEANS AN ACTION OR PROCESS, SUCH AS  
14 SEPARATION, SORTING, BALING, OR SHIPPING, APPLIED TO REPORTABLE  
15 RECYCLABLE MATERIALS FOR THE PURPOSES OF REUSE OR CONVERSION INTO  
16 RAW MATERIALS OR NEW PRODUCTS.

17 (F) "RECYCLING ESTABLISHMENT" MEANS AN ESTABLISHMENT ENGAGED  
18 IN RECYCLING OF, OR BROKERING OF, REPORTABLE RECYCLABLE MATERIALS.  
19 RECYCLING ESTABLISHMENT DOES NOT INCLUDE ANY OF THE FOLLOWING:

20 (i) AN ESTABLISHMENT THAT RECYCLES FEWER THAN 100 TONS PER  
21 YEAR.

22 (ii) A RETAIL ESTABLISHMENT THAT BALES CARDBOARD PACKAGING FOR  
23 OFF-SITE SHIPMENT.

24 (iii) A RETAIL ESTABLISHMENT THAT COLLECTS RETURNABLE BEVERAGE  
25 CONTAINERS UNDER 1976 IL 1, MCL 445.571 TO 445.576, FOR TRANSFER TO  
26 A RECYCLING ESTABLISHMENT.

27 (iv) AN END USER OF REPORTABLE RECYCLABLE MATERIALS SUCH AS A



1 PAPER MILL, STEEL MILL, FOUNDRY, OR DIE CASTER THAT CONVERTS THE  
2 REPORTABLE RECYCLABLE MATERIALS INTO NEW PRODUCTS OR RAW MATERIALS  
3 FOR CONVERSION INTO NEW PRODUCTS.

4 (v) A DROP-OFF RECYCLING LOCATION THAT SENDS ALL REPORTABLE  
5 RECYCLABLE MATERIALS TO A RECYCLING ESTABLISHMENT REGISTERED UNDER  
6 SECTION 17502.

7 (vi) AN ESTABLISHMENT THAT SHIPS REPORTABLE RECYCLABLE  
8 MATERIAL TO RECYCLING ESTABLISHMENTS REGISTERED UNDER SECTION 17502  
9 BUT THAT DOES NOT ENGAGE IN ANY OTHER RECYCLING.

10 (G) "REPORTABLE RECYCLABLE MATERIALS", SUBJECT TO SUBDIVISION  
11 (H), MEANS ANY OF THE FOLLOWING CATEGORIES OF RECYCLABLE MATERIALS  
12 THAT ARE SEPARATED FROM HOUSEHOLD WASTE OR COMMERCIAL WASTE, OR  
13 FROM A COMBINATION OF HOUSEHOLD WASTE AND COMMERCIAL WASTE, AND  
14 THAT ARE DELIVERED TO A RECYCLING ESTABLISHMENT FOR RECYCLING:

15 (i) GLASS.

16 (ii) PAPER AND PAPER PRODUCTS.

17 (iii) PLASTIC AND PLASTIC PRODUCTS.

18 (iv) FERROUS METAL, INCLUDING WHITE GOODS.

19 (v) NONFERROUS METAL.

20 (vi) TEXTILES.

21 (vii) SINGLE STREAM RECYCLABLE MATERIALS THAT INCLUDE ANY  
22 COMBINATION OF THE MATERIALS LISTED IN SUBPARAGRAPHS (i) TO (vi).

23 (H) "REPORTABLE RECYCLABLE MATERIALS" DOES NOT INCLUDE ANY OF  
24 THE FOLLOWING:

25 (i) MATERIALS OR PRODUCTS THAT CONTAIN IRON, STEEL, OR  
26 NONFERROUS METALS AND THAT ARE DIRECTED TO OR RECEIVED BY A PERSON  
27 SUBJECT TO THE SCRAP METAL REGULATORY ACT, 2008 PA 429, MCL 445.421

1 TO 445.443, OR BY A REUSER OF THESE METALS.

2 (ii) MATERIALS GENERATED FROM THE SHREDDING OR DISMANTLING OF  
3 MOTOR VEHICLES OR PARTS OF MOTOR VEHICLES.

4 (iii) A BENEFICIAL USE BY-PRODUCT, AS DEFINED IN SECTION  
5 11502.

6 (iv) A COVERED ELECTRONIC DEVICE REPORTED UNDER PART 173.

7 SEC. 17502. A RECYCLING ESTABLISHMENT SHALL ANNUALLY REGISTER  
8 WITH THE DEPARTMENT ON A FORM PROVIDED BY THE DEPARTMENT AND  
9 CONTAINING THE RECYCLING ESTABLISHMENT'S NAME, LOCATION, POSTAL  
10 MAILING ADDRESS, ELECTRONIC MAIL ADDRESS, AND TELEPHONE NUMBER AND  
11 THE NAME OF THE RECYCLING ESTABLISHMENT'S CONTACT PERSON. THE  
12 RECYCLING ESTABLISHMENT SHALL REGISTER EACH YEAR BY JULY 1.  
13 HOWEVER, A RECYCLING ESTABLISHMENT ESTABLISHED AFTER THE EFFECTIVE  
14 DATE OF THIS SECTION AND AFTER JUNE 1 BUT NOT AFTER DECEMBER 1  
15 SHALL FIRST REGISTER NOT LATER THAN 30 DAYS AFTER IT IS  
16 ESTABLISHED.

17 SEC. 17503. (1) A RECYCLING ESTABLISHMENT IN THIS STATE SHALL  
18 REPORT TO THE DEPARTMENT THE AMOUNT OF EACH CATEGORY OF REPORTABLE  
19 RECYCLABLE MATERIAL RECEIVED BY AND THE AMOUNT SHIPPED FROM THE  
20 RECYCLING ESTABLISHMENT. FOR EACH STATE FISCAL YEAR, THE RECYCLING  
21 ESTABLISHMENT SHALL, AT ITS OPTION, SUBMIT EITHER AN ANNUAL REPORT  
22 OR 4 QUARTERLY REPORTS. ALL OF THE FOLLOWING APPLY:

23 (A) IF THE RECYCLING ESTABLISHMENT OPTS TO SUBMIT AN ANNUAL  
24 REPORT COVERING THE OCTOBER 1 TO SEPTEMBER 30 STATE FISCAL YEAR,  
25 THE REPORT SHALL BE SUBMITTED BY THE FOLLOWING NOVEMBER 15.

26 (B) IF THE RECYCLING ESTABLISHMENT OPTS TO SUBMIT QUARTERLY  
27 REPORTS, THE REPORTS SHALL BE SUBMITTED BY THE FOLLOWING DATES:

1 (i) FOR THE OCTOBER 1 TO DECEMBER 31 QUARTER, BY THE FOLLOWING  
2 FEBRUARY 15.

3 (ii) FOR THE JANUARY 1 TO MARCH 31 QUARTER, BY THE FOLLOWING  
4 MAY 15.

5 (iii) FOR THE APRIL 1 TO JUNE 30 QUARTER, BY THE FOLLOWING  
6 AUGUST 15.

7 (iv) FOR THE JULY 1 TO SEPTEMBER 30 QUARTER, BY THE FOLLOWING  
8 NOVEMBER 15.

9 (C) A REPORT SHALL SPECIFY QUANTITIES OF REPORTABLE RECYCLABLE  
10 MATERIALS IN TONS. QUANTITIES MAY BE DETERMINED USING A VOLUME-TO-  
11 WEIGHT CONVERSION FORMULA PROVIDED BY THE DEPARTMENT.

12 (D) A REPORT MAY PROVIDE ONLY AGGREGATE QUANTITIES FOR  
13 MULTIPLE RECYCLING ESTABLISHMENTS IF THE REPORT IDENTIFIES EACH  
14 RECYCLING ESTABLISHMENT COVERED BY THE REPORT.

15 (E) A REPORT SHALL BE SUBMITTED IN THE MANNER PROVIDED BY THE  
16 DEPARTMENT.

17 (F) A REPORT SHALL COMPLY WITH ANY REPORTING GUIDELINES  
18 ESTABLISHED BY THE DEPARTMENT TO ENSURE THAT REPORTABLE RECYCLABLE  
19 MATERIALS ARE NOT COUNTED MORE THAN ONCE.

20 (G) A REPORT IS NOT REQUIRED TO COVER RECYCLING ESTABLISHMENT  
21 ACTIVITIES OCCURRING BEFORE OCTOBER 1, 2016.

22 (2) A PERSON THAT IS NOT A RECYCLING ESTABLISHMENT MAY  
23 VOLUNTARILY SUBMIT REPORTS UNDER THIS SECTION.

24 SEC. 17504. (1) EXCEPT AS PROVIDED IN SUBSECTION (2),  
25 INFORMATION CONTAINED IN A REPORT FROM A RECYCLING ESTABLISHMENT  
26 UNDER THIS PART IS CONFIDENTIAL, SHALL NOT BE DISCLOSED BY THE  
27 DEPARTMENT, AND IS EXEMPT FROM DISCLOSURE UNDER THE FREEDOM OF

1 INFORMATION ACT, 1976 PA 442, MCL 15.231 TO 15.246.

2 (2) THE DEPARTMENT MAY AGGREGATE DATA CONTAINED WITHIN REPORTS  
3 SUBMITTED FROM RECYCLING ESTABLISHMENTS UNDER THIS PART FOR THE  
4 PURPOSE OF DETERMINING STATEWIDE QUANTITIES OF REPORTABLE  
5 RECYCLABLE MATERIALS THAT WERE RECYCLED. SUBSECTION (1) DOES NOT  
6 APPLY TO THIS AGGREGATED DATA BUT DOES APPLY TO INFORMATION  
7 IDENTIFYING A RECYCLING ESTABLISHMENT.

8 SEC. 17505. (1) THE DEPARTMENT SHALL ANNUALLY POST ON ITS  
9 WEBSITE ALL OF THE FOLLOWING:

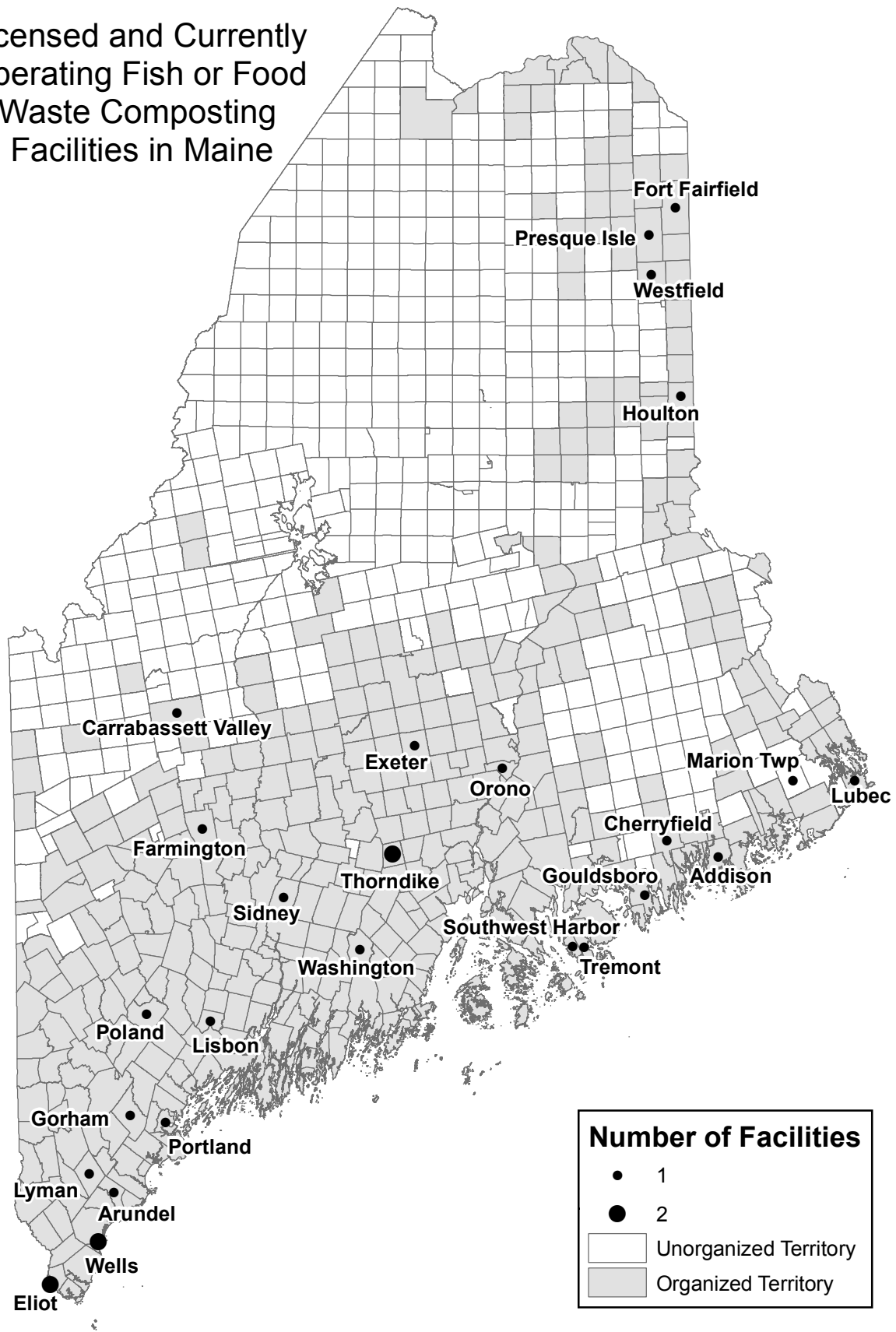
10 (A) THE AGGREGATED AMOUNT OF REPORTABLE RECYCLABLE MATERIALS  
11 BY CATEGORY LISTED IN SECTION 17501(G) THAT WERE RECYCLED DURING  
12 THE PRECEDING STATE FISCAL YEAR.

13 (B) THE TOTAL AGGREGATED AMOUNT OF REPORTABLE RECYCLABLE  
14 MATERIALS THAT WERE RECYCLED DURING THE PRECEDING STATE FISCAL  
15 YEAR.

16 (2) BY JANUARY 31, 2018 AND EACH YEAR THEREAFTER, THE  
17 DEPARTMENT, AFTER CONSULTATION WITH INTERESTED PARTIES, SHALL  
18 SUBMIT TO THE LEGISLATURE A REPORT ON THIS PART, INCLUDING  
19 INFORMATION POSTED UNDER SUBSECTION (1) AND ANY RECOMMENDATIONS FOR  
20 AMENDMENTS TO THIS PART.

21 Enacting section 1. This amendatory act takes effect 90 days  
22 after the date it is enacted into law.

# Licensed and Currently Operating Fish or Food Waste Composting Facilities in Maine



**Number of Facilities**

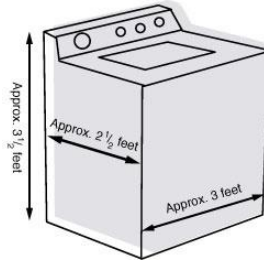
- 1
- 2
- Unorganized Territory
- Organized Territory

**NRCM COMPARISON OF COMMERCIAL FOOD RECOVERY LAWS IN NEW ENGLAND**

	<b>LD 1578- Maine</b>	<b>VT</b>	<b>MA</b>	<b>CT</b>	<b>RI</b>
<b>Title</b>	<i>“Commercial Food Waste Composting Requirement”</i>	“Universal Recycling Law- Food Scrap Diversion”	“Commercial Food Waste Disposal Ban”	“Commercial Organics Recycling Law”	“Food waste ban”
<b>Year Enacted</b>	2016	2012	2012	2011 and 2013	2014
<b>Date Implemented</b>	<i>Jan 1, 2020</i>	July 1, 2014	Oct. 1, 2014	Jan. 1, 2014	January 1, 2016
<b>Geographical exemption</b>	<i>20 miles</i>	20 miles, and geographical exemption ends 2020	No geographical exemption	20 miles	15 miles
<b>Tonnage Exemption</b>	<i>1 ton/week</i>	104 tons/year to start, then by July 1st of 2015, 2016, and 2017, it will be reduced to 52, 26, and 18 tons/yr, respectively. By 2020, all food scraps must be diverted.	1 ton/week	2 tons/week; then 1 ton/week starting in 2020	2 tons/week
<b>Waiver</b>	<i>“is demonstrates to the departments satisfaction that compliance with the requirements of this section would result in substantial financial hardship for the generator”</i>	No waiver. But does have a de minimis clause which would allow a food scrap generator that had a program for separation of organics in place including education to employees on separation, to dispose of some de minimis amount of food waste.	“The Department may allow de minimis quantities of restricted materials, as determined by the Department, to be disposed by the facility. The Department may require, in lieu of an enforcement action ... a modified plan to be submitted when restricted materials are being disposed of in excess of approved amounts”	No Waiver	“ if the tipping fee charged by the Rhode Island resource recovery corporation for non-contract commercial sector waste is less than the fee charged by each composting facility or anaerobic digestion facility located within fifteen miles of the covered entity's location”
<b># of licensed and operating food scrap processing facilities at time of enactment</b>	<i>~30 facilities currently licensed and operating (See map, attached)</i>	~ 12 small to medium and 1 large compost facility; 17 on-farm AD’s processing 50K tons annually	~ 35 accepting nearly 150,000 tons annually	3 permitted, 3 proposed and law applies to out-of-state	3 on farm; 1 commercial

## WHAT DOES ONE TON OF WASTED FOOD LOOK LIKE?

One ton of food waste has a volume of about 1.33 cubic yards. For reference it would take up the same amount of space as a washing machine, or fill the back of a small pickup truck:



These are sample equations that MA uses to help businesses estimate their food waste:

### Colleges and Universities

If you have 734 students living on campus, then:  
 $141.75 \text{ lbs/student/year} * 734 \text{ residential students} = 104,045 \text{ lbs/year}$   
 $104,045 \text{ lbs/year} \div 52 \text{ weeks/year} = 2,001 \text{ lbs/week} = 1 \text{ ton of food waste per week}$

### Correctional Facilities

If you house 286 inmates, then:  
 $1 \text{ lbs/inmate/day} * 286 \text{ inmates} = 286 \text{ lbs/day}$   
 $286 \text{ lbs/day} * 7 \text{ days/week} = 2,002 \text{ lbs/week} = 1 \text{ ton of food waste per week}$

### Hospitals

If you have 84 beds, then:  
 $3.42 \text{ lbs/bed/day} * 84 \text{ beds} = 287 \text{ lbs/day}$   
 $287 \text{ lbs/day} * 7 \text{ days/week} = 2,009 \text{ lbs/week} = 1 \text{ ton of food waste per week}$

### Lodging and Hotels

If you have 301 guest rooms, then:  
 $345.64 \text{ lbs/room/year} * 301 \text{ rooms} = 104,037 \text{ lbs/year}$   
 $104,037 \text{ lbs/year} \div 52 \text{ weeks/year} = 2,001 \text{ lbs/week} = 1 \text{ ton of organic waste per week}$

### Nursing Homes

If you serve 10,000 lbs of food in one week, then:  
 $20\% \text{ of food served} * 10,000 \text{ lbs served/week} = 2,000 \text{ lbs/week} = 1 \text{ ton of food waste in one week}$

### Elementary and Secondary Schools

If you fill 1 trash dumpster at 4 cubic yards 3 times per week, then:  
 $450 \text{ lbs} * (1 \text{ trash dumpster} * 4 \text{ yd}^3 * 3 \text{ pickups/week}) = 5,400 \text{ lbs of total disposed waste/week}$   
 $5,400 \text{ lbs} * 45\% \text{ of total waste} = 2,430 \text{ lbs/week} = 1.2 \text{ tons of food waste in one week}$

### Restaurants

*If you are a full-service restaurant* and fill 1 trash dumpster at 4 cubic yards 2 times per week, then:  $450 \text{ lbs} * (1 \text{ trash dumpster} * 4 \text{ yd}^3 * 2 \text{ pickups/week}) = 3,600 \text{ lbs of total disposed waste/week}$ ;  $3,600 \text{ lbs} * 66\% \text{ of total waste} = 2,376 \text{ lbs/week} = 1.2 \text{ tons of food waste in one week}$

*If you are a fast-food restaurant* and fill 1 trash dumpster at 4 cubic yards 3 times per week, then:  $450 \text{ lbs} * (1 \text{ trash dumpster} * 4 \text{ yd}^3 * 3 \text{ pickups/week}) = 5,400 \text{ lbs of total disposed waste/week}$ ;  $5,400 \text{ lbs} * 51\% \text{ of total waste} = 2,754 \text{ lbs/week} = 1.4 \text{ tons of food waste in one week}$

### Supermarkets and Grocery Stores

If you fill 1 trash dumpster at 4 cubic yards 2 times per week, then:  
 $450 \text{ lbs} * (1 \text{ trash dumpster} * 4 \text{ yd}^3 * 2 \text{ pickups/week}) = 3,600 \text{ lbs of total disposed waste/week}$   
 $3,600 \text{ lbs} * 63\% \text{ of total waste} = 2,268 \text{ lbs/week} = 1.1 \text{ tons of food waste in one week}$