



**Senate Natural Resources Committee**  
**Food Residuals Management**  
**April 26, 2016**

Thank you for the opportunity to testify on Act 148. We continue to hear from municipal governments that flexibility is not a hallmark of the Solid Waste law. There are a variety of experiences with the law depending upon what town, district or alliance is being discussed. We asked for amendments to the law in most of the years since the passage of Act 148 in 2012. Those proposals were not addressed.

The most immediate issue is that many municipalities continue to find that it will be both difficult and expensive to comply with the requirements for managing food residuals. As the excerpt from the Department of Environmental Conservation website at the end of this testimony indicates, “waste haulers and drop-off centers must offer recycling and food scrap collection services in advance of each landfill ban going into effect. Waste haulers and facilities must offer food scrap collection by 2017 so there is time for residents and businesses to find a ‘preferred’ way to manage food scraps by 2020”. Many of those haulers are small independent businesses that will have a hard time providing trucks with separate compartments for trash, recyclables and food scraps.

We concur that in many parts of the state and for large generators the issue of food residuals management seems to be proceeding. Those areas and generators will continue to manage food scraps. In other parts of the state, particularly those that are more rural, it is a trickier proposition. Municipalities have been mandated to adopt waste management ordinances that implement variable rate pricing and to enforce them, as the attached letter dated June 24, 2014 from the Solid Waste Program indicates. That was something for which many towns did not volunteer.

We support the proposal to amend the food residual management mandate and to provide some flexibility in handling food scraps.

**§ 6605k. Food residuals; management hierarchy**

2) Arrange for the transfer of food residuals to a location that manages food residuals in a manner consistent with the priority uses established under subdivisions (a)(2)-(5) of this section or shall manage food residuals on site.

(c) The following persons shall be subject to the requirements of subsection (b) of this section:

- (1) beginning July 1, 2014, a person whose acts or processes produce more than 104 tons per year of food residuals;
- (2) beginning July 1, 2015, a person whose acts or processes produce more than 52 tons per year of food residuals;
- (3) beginning July 1, 2016, a person whose acts or processes produce more than 26 tons per year of food residuals
- (4) ~~beginning July 1, 2017, a person whose acts or processes produce more than 18 tons per year of food residuals; and~~
- (5) ~~beginning July 1, 2020, any person who generates any amount of food residuals. (Added 2011, No. 148 (Adj. Sess.), § 6.)~~

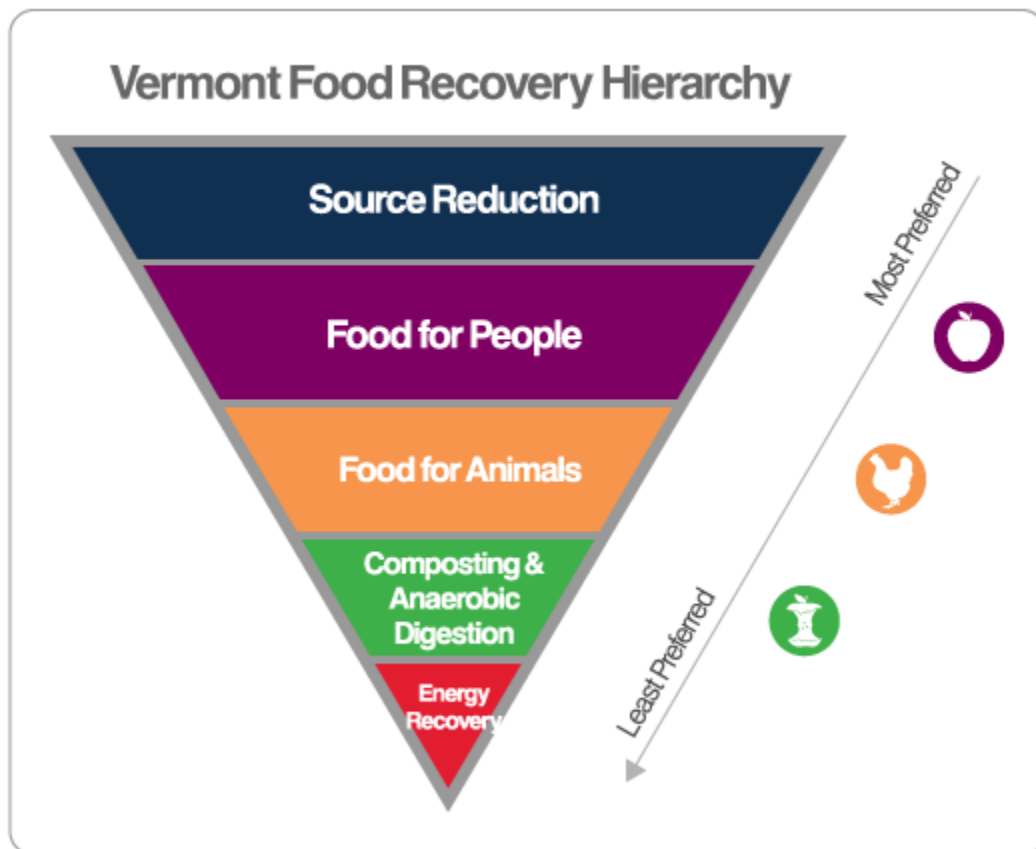
Thank you for the opportunity to testify.

*Karen Horn, Director Public Policy & Advocacy  
Vermont League of Cities and Towns  
khorn@vlct.org*

*The following is from the DEC website: <http://dec.vermont.gov/waste-management/solid/universal-recycling>:*

### **Meaningful alternatives exist for uneaten food and food scraps**

When food scraps end up in landfills, they release powerful methane gas that contribute to climate change. What's the use of landfilling uneaten food when we can feed our neighbors, feed animals to produce local eggs and meat, or create rich soil and renewable energy products instead? The Universal Recycling Law outlines how Vermont businesses and residents should prioritize what happens to food waste to achieve greater good:



---

### **Main Features of the Law**

Parallel Collection: Waste haulers and drop-off centers that offer trash collection services are required to offer recycling and food scrap collection services in advance of each landfill ban going into effect. For example, waste haulers and facilities must offer food scrap collection by 2017, so that there is time for residents and businesses to find a preferred way to manage their food scraps by 2020.

Unit-Based Pricing or "Pay-As-You-Throw": All Vermont towns are required to pass ordinances that require waste haulers and transfer stations to bundle the costs of recycling and trash collection into one fee for *residential customers only*. This mechanism levels the playing field for residents across the State, so households do not have to make decisions about whether or not to recycle based on their wallets.

Public Space Recycling: Any trash container in a public space needs to be accompanied by a recycling receptacle as of July 2015, making recycling more convenient in more locations. Public spaces include city streets, parks, municipal offices, schools, and more; bathrooms are exempt.

Phased-In Food Scrap Ban: Businesses and institutions that produce large amounts of food waste--such as supermarkets, college campuses, and restaurants--are required to comply with the landfill ban on food scraps earlier than residents, if they are located within 20 road miles of a composting facility that willingly accepts food scraps. This phased-in approach is designed to create demand for food scrap collection, and support investments in new food scrap collection infrastructure. See the [Universal Recycling Timeline](#) for details.

---

## Communication & Outreach Tools

Go to the [Universal Recycling Downloads](#) page for posters, fact sheets, web ads, and signage for recycling, compost, and trash containers.

