

## **DEC Policy for Managing Food Residuals, Including Packaged Food Residuals**

### **Background:**

- The Universal Recycling law was passed in 2012, with a goal to divert more materials, including food residuals, from disposal. The management of food residuals has been evolving with the passage of this law.
- Effective July 1, 2020, the Universal Recycling law bans the disposal of food residuals (10 VSA (6621a(a)(11))).
- Section 6605k of the law requires generators to separate food residuals from other solid waste and arrange for food residuals transfer to be managed in accordance with the options 2-5 of the management hierarchy.
- Using data from the 2018 Vermont Waste Composition Study, DEC estimates that ~80,000 tons of food residuals are disposed annually, with ~30,000 tons of that in packaging (38%). This indicates there is a significant volume (not a de minimis amount) of food residuals in packaging that is disposed that needs to be addressed while recognizing the challenges with managing food residuals that are packaged.

### **Implementation:**

- Generators of food residuals need to keep food residuals (including food residuals that is in packaging and that which is unpackaged) separate from their trash. Thus, packaged and unpackaged food residuals shall not be mixed with other trash at the point of generation.
- There are multiple options included in the management hierarchy for the management of food residuals rather than disposal. Generators must make arrangements to use one or more of the hierarchy options when managing their food residuals.
- There are market options for the transportation and processing of food residuals, which include agricultural uses, composting, and anaerobic digestion. It is not DEC's role to favor one market option over another.
- The use of depackaging equipment is needed in order to divert some packaged food residuals from disposal, prior to management by one of the hierarchy options.
- The existence of depackaging equipment does not necessarily preclude other uses for food residuals, such as agricultural uses, composting, or anaerobic digestion, as outlined in the

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management hierarchy. For example, depackaging equipment is currently in use in other New England states to remove packaging from some off-spec food to create animal feed.

- Similarly, the existence of depackaging equipment does not preclude a generator from donating a food item for human consumption.
- DEC will continue to recommend generators prioritize the uses for food and food waste as outlined in the management hierarchy.

DEC plans to create an information sheet and FAQs to assist stakeholders with understanding the food waste ban.