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March 6, 14

State of Rhode Island General Assembly

Representative Arthur Handy, Chairperson, House Committee on Environment and Natural Resources

Representative Donna M. Walsh, Vice Chairperson, House Committee on Environment and Natural Resources

Representative Scott J. Guthrie, Secretary, House Committee on Environment and Natural Resources

82 Smith Street

Providence, RI 02903

Re: Support for H7033 and H7482

Dear Chairperson Handy, Vice Chairperson Walsh and Secretary Guthrie:

On behalf of the US Composting Council, I am pleased to submit this letter of support for introduced bills H7033 and H7482, two bills that would require large generators of food residuals to recycle those residuals. This legislation mandates producers of food residuals to 1) source-separate food residuals from other solid waste for recycling; and 2) recycle or treats food residuals on-site or sends their organic waste to a recycling facility.

The USEPA estimates that 15% of the wastes generated in the United States are food residuals. These bills would benefit Rhode Island by encouraging the management of its resources within the state and region. Food processors, institutions and other large-scale generators of food scraps – the law’s targets – want their food scraps to be rescued or otherwise beneficially used locally. Investment in and expansion of needed capacity to handle recycling of food scraps and other organics in Rhode Island would be spurred by either of these bills.

The US compost manufacturing industry is a growing sector that will be positively affected by the proposed regulation. Compost is a soil amendment that has a wide range of benefits, including improving soil health, protecting against water pollution, limiting drought impacts, and assisting in soil remediation. It is also increasingly recognized for its climate protection benefits as it helps soils store carbon and reduce methane emissions from landfills. California has acknowledged this by establishing that composting facilities can receive carbon credits.

Either of these bills will help create capacity to process these materials into valuable products. To establish a sound composting system it is important to have markets for the compost. H7033 (or H7482) sends a clear signal to investors, existing operators and potential facility owners that if they build or expand, the feedstock will be there. Compost manufacturers need to be sure that an adequate and reliable supply of raw material is available to them before they commit to open their doors for business. This bill will stimulate investment in the growing composting sector.



To enhance to market signal to facility investors, we recommend that you amend the proposed bills (in H7033, **23-18.18-4, Food residual disposal ban** and in H7482 **23-18.9-17, Food waste ban**) to change the minimum distance to a recycling or digestion facility to 30 miles. This distance will allow facilities to draw feedstock from a wider geographic area and be more economically viable, and match the minimum distance set for generators in Connecticut.

While either bill is a significant step forward in reducing the environmental impact of food residuals, the USCC respectfully suggests that the Committee recommend passage of H7033. H7033 provides a lower, but still substantial, threshold that must be met before a generator of food residuals must comply. And, by lowering that threshold over time, H7033 will maximize the environmental benefits possible from the recycling of food residuals.

The proposed laws, appropriately, are not prescriptive with regard to environmental protection—that is the role of the supporting regulations. The Rhode Island Department of Environmental Management should develop permitting and enforcement mechanisms in conjunction with industry stakeholders and can ensure that these enforcement mechanisms not be onerous. Rhode Island can piggyback on regulatory efforts in Massachusetts, Connecticut and Vermont who are developing implementation regulations to achieve the same goals – initially targeting large-scale generators of resources in order to trigger development of in-state facilities. The USCC has a Model Compost Rule Template, designed to be adapted by a state, which can be used to begin crafting the regulations that will be needed once this positive legislation is passed.

The US Composting Council is pleased to support the passage of either H7033 or H7482, and will be happy to work with friends and allies to assist the passage and implementation of either though would prefer H7033 for reasons stated above. If you have questions, please do not hesitate to contact us.

A handwritten signature in black ink, appearing to read "Lori Scozzafava".

Lori Scozzafava  
US Composting Council

### **About the US Composting Council**

The US Composting Council (USCC), a 501(c)6 Trade and Professional Association, is the only national organization in the United States dedicated to the development, expansion and promotion of the composting industry. The USCC has over 800 member companies, including private and municipal compost producers, equipment manufacturers, product suppliers, academic institutions, public agencies, nonprofit groups and consulting/engineering firms. The USCC achieves this mission by encouraging, supporting and performing compost related research, promoting best management practices, establishing standards, educating professionals and the public about the benefits of composting and compost utilization, enhancing compost product quality, and developing training materials for composters and markets for compost products.