

Massachusetts Commercial Food Waste Disposal Ban



Legislation Overview: As part of its efforts to maximize material reuse, the Massachusetts Department of Environmental Protection (MassDEP) prohibits certain businesses from sending organic material to landfills and incinerators.

Businesses subject to this law have a number of on-site and off-site options for processing organics, including composting, dehydration, pulping, anaerobic digestion, rendering for fats and oils, and use as feed for farm animals.

1. How do I know if this law applies to me?

The most accurate way of knowing if you must comply is to measure your organics on a weekly basis. However, this can be time consuming and may require hiring someone to do this for you. A simpler way is to use industry data and estimations provided by RecyclingWorks Massachusetts (an assistance program provided by MassDEP). Rules of thumb for various industries include:

- **Restaurant** – 4,000 meals in one week OR 70 or more full time employees OR
 - Full service restaurant: 1 trash dumpster at 4 cubic yards, serviced 2x per week
 - Fast-food restaurant: 1 trash dumpster at 4 cubic yards, serviced 3x per week
- **College or University**
 - Residential – 730 students
 - Non-residential – 2,750 students
- **Hospital** – 80 beds
- **Hotels** – 285 guests per day OR 300 rooms
- **Large venues and events** (e.g., music and sports venues, festivals, performing arts centers) – 4,450 visitors in one week OR 1 trash dumpster at 6 cubic yards, serviced 3x per week

2. What does this mean for resorts and conference centers with foodservice operations, who are covered by the law? And how does packaging fit in?

Foodservice operators who generate more organics than the specified threshold must keep food scraps and yard trimmings out of landfills and incinerators, and find an alternative processing method. This means these materials must be collected separately or sorted out of the trash. Given the environmental benefits of compost (see side bar) and the simplicity with having a hauler transport organics to a commercial composter, many foodservice operators may find off-site composting an attractive option.

For foodservice operations with a public-facing component, asking the public to put food scraps in its own separate bin is an uphill battle. Many people simply put everything in one bin and don't take the time to read bin signage. If you use conventional packaging, it is very likely that non-compostable plastic cups and cutlery will end up with the food. Most composters have a limit on the level of "contamination" they will accept because it is incompatible with their system, is expensive to remove, and can decrease the value of the finished compost. No one wants bits of plastic in their garden.

This is where compostable packaging can help. It allows people to put their half uneaten sandwich in the same bin as the compostable plate because this type of packaging will break down into healthy nutrients for soil. This makes things much easier for the foodservice operator. While a sort to remove

**Massachusetts
310 CMR 19.000:
Commercial
Organic Material
Waste Ban
Amendments,
January 2014**

As of October 1, 2014, businesses and institutions that dispose of one ton or more of organic material (i.e., food and vegetative matter) per week may not send this material to landfills or incinerators.

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non-compostable contamination may still be necessary, shifting to all compostable packaging significantly reduces the foodservice operator's efforts to compost their organics.

3. I'm required to comply with this new law. What do I do to get started?

a. Sign up for composting service. The best place to start is the company that is picking up your landfill and recyclable materials. They may offer hauling services for composting as well.

b. Switch to compostable packaging. As explained, this will make composting food scraps much easier. It is important to try to get as close as possible to using only compostables for your packaging. Any items that must be separated present an opportunity for contamination.

The first step is understanding all of your packaging needs, then reaching out to your distributor or provider of packaging to see which compostable items they offer. Be sure to look for packaging certified by the Biodegradable Products Institute. BPI is the only third-party certification program in the U.S. to verify compostability.

c. Obtain new bins and signs. Once you've secured composting services and have switched to compostable packaging, you will need to provide bins for collecting organic materials. Be sure to think through front-of-house and back-of-house collection areas. In front-of-house, make sure you offer an organics bin in every location you provide landfill and recycling bins. People like to dispose of all materials in one place.



Signage is key – for both your customers and your staff. Be sure to include photos or images of the actual products you use. For example, don't just show a picture of a generic compostable cup. Show a picture of your compostable cup.

d. Educate your staff. Employees play a very important role successful composting programs. They need to understand the proper destination for all materials generated at your operation. This includes understanding where to empty bins in back-of-house collection areas or large containers outside. Depending on the level of contamination allowed by your compost facility, employees may need to go through organics to remove non-compostable items. Employees can also help educate customers as they interact them. Provide training on composting when you launch the program, as well as on an on-going basis.

Benefits of Composting Food Scraps

Food scraps provide beneficial nutrients for compost - organic matter that has the unique ability to improve the chemical, physical, and biological characteristics of soils. Healthy soil treated with compost:

- Supplies nutrients to plants
- Reduces the need for artificial fertilizers
- Conserves water
- Reduces storm water run-off and erosion
- Improves plant health
- Stabilizes soil pH

In addition, keeping food scraps out of landfills helps address climate change. Food rotting in landfills emits methane – a greenhouse gas that is over 20 times more potent than carbon dioxide.

Source: US Composting Council