

# Rhode Island Commercial Food Waste Disposal Ban



**Legislation Overview:** In order to encourage waste diversion, and extend the life of the State's Central Landfill (which is on track to be full by 2038), the state of Rhode Island requires certain businesses to separate and recover, compost, or anaerobically digest their organics.

- Preventing the generation of wasted food through more efficient operations,
- Donating edible food to shelters and food pantries,
- Composting or anaerobically digesting food scraps on-site, and
- Working with a hauler to take food scraps to a facility that will use it as animal feed, anaerobically digest it, or compost it.

Businesses who generate enough organics to comply with the law (see side bar) are only required to do so if they are within 15 miles of a permitted facility. A list of facilities can be found at the Rhode Island State website:

<http://tiny.cc/7kxwny>

**More information on the law can be found here:**

<http://tiny.cc/elxwny> (ReFed.com)

<http://tiny.cc/tlxwny> (State of RI General Assembly website)

**And the actual bill language can be found here:**

<http://tiny.cc/amxwny> (State of RI General Assembly website)

*Waiver Rule:* Covered facilities or institutions may apply for a waiver from these requirements if the tipping fee at their compost facility or anaerobic digestion facility that is within 15 miles is more than the tipping fee at the landfill.

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

- The most accurate way of knowing if you must comply is to conduct a waste audit and measure your organics. However, this can be time consuming and may require hiring someone to do this for you. The state of Massachusetts (which has a similar law in effect) estimates that resorts and conference centers may generate two tons of organics per week if they have 475 seats or serve 4,000 meals. Details available here for all varieties of covered institutions: <http://tiny.cc/cpxwny>

## 2. What does this mean for my business? And how does packaging fit in?

Businesses who generate more organics than the specified threshold may not send this material to landfills. This means that whatever organics remain after donations must be collected separately or sorted out of the trash; they must be composted or digested – on-site or off. Given the environmental benefits of compost (see side bar) and the simplicity with having a hauler transport organics to a commercial composter, many covered businesses may find off-site composting an attractive option.

**Rhode Island Gen. Laws Ann. 23-18.9-17**

**IF** you are a:

- resort or conference center
- supermarket
- commercial food wholesaler or distributor
- industrial food manufacturer or processor
- Higher Educational Institution
- Restaurant
- Banquet Hall
- Religious Institution
- Military Installation
- Corporations
- Hospital
- Or Casino...

**AND** you generate 104 or more tons of organic material per year (approx. 2 tons per week)...

**AND** you are located within 15 miles of a permitted facility that can accept the material...

**Then you must ensure your organics are recycled.**

\*\*Beginning in 2018, the threshold for covered educational facilities drops to 52 tons/year\*\*

When thinking about how to separate food scraps from trash, keep in mind that 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 resort or conference center. While a sort to remove 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

### 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*



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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 with them. Provide training on composting when you launch the program, as well as on an ongoing basis.