

Vermont Commercial Organics Recycling Law



Legislation Overview: In order to encourage waste diversion, the state of Vermont requires certain businesses to separate and recover, compost, or anaerobically digest their organics.

The state law encourages businesses and residents to practice waste diversion based on the following hierarchy:

- Reduction at the source. Encourage smarter food acquisition and use to reduce waste.
- Diversion of consumable food for people. Manage leftovers so they can be donated to food shelters.
- Diversion for agricultural uses, including for animals, composting, nutrient management, digestion, and energy recovery.

Businesses who generate enough organics to comply with the law (see side bar) are only required to do so if they are within 20 miles of a permitted facility.

However, this 20-mile limit will no longer apply in 2020.

More information on the law can be found here:

- <http://www.refed.com/tools/food-waste-policy-finder/vermont>
- <https://cswd.net/about-cswd/universal-recycling-law-act-148/>
- <https://cswd.net/composting/composting-businesses/>

And the actual bill language can be found here:

- <http://legislature.vermont.gov/statutes/section/10/159/06605k>

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 Vermont estimates the following:

	Level at which compliance is required	Equivalent to
2014	104 or more tons per year	About twelve 64-gallon carts/week
2015	52 or more tons per year	About six to eight 64-gallon carts/week
2016	26 or more tons per year	About three to four carts/week
2017	18 or more tons per year	About two carts/week
2020	Any amount	Any amount

Source: <https://cswd.net/composting/composting-businesses/>

Vt. Statute Annotated file. 10, § 6605k

If you are:

Any individual, partnership, company, corporation, association, unincorporated association, joint venture, trust, municipality, the State of Vermont or any agency, department, or subdivision of the State, federal agency, or any other legal or commercial entity.

AND you generate:

2014 – 104 tons/year

2015 – 52 tons/year

2016 – 26 tons/year

2017 – 18 tons/year

2020 – All food scraps banned from landfill

AND you are located

within 20 miles of a permitted facility that can accept the material...*

Then you must ensure your organics are recycled.

On July 1, 2020, the 20-mile limit no longer applies

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.

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

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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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.