

2018 -- H 7699

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2018

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A N A C T

RELATING TO EDUCATION -- SCHOOL WASTE RECYCLING AND REFUSE DISPOSAL

Introduced By: Representatives Carson, Fogarty, Donovan, Ranglin-Vassell, and Ajello

Date Introduced: February 28, 2018

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 16 of the General Laws entitled "EDUCATION" is hereby amended
2 by adding thereto the following chapter:

3 CHAPTER 110

4 SCHOOL WASTE RECYCLING AND REFUSE DISPOSAL

5 **16-110-1. Legislative findings.**

6 The general assembly recognizes and declares that:

7 (1) The people of the state desire to promote a clean and wholesome school environment
8 for our students and school staff;

9 (2) A significant percentage of school waste is recyclable;

10 (3) Any environmentally and economically sound solid waste management system must
11 incorporate recycling and all solid waste capable of being recycled should be recycled;

12 (4) A sound recycling program for all covered educational entities will best be achieved
13 by cooperation of the Rhode Island resource recovery corporation, the department of
14 environmental management, the Rhode Island department of education, and the cities and towns
15 of the state;

16 (5) Upon implementation, the program shall reduce food waste and paper waste at meal
17 times and throughout the school day and should be encouraged statewide.

18 **16-110-2. Food service and refuse disposal.**

19 (a) Any educational institution shall ensure compliance with all sections of law providing

1 [for refuse disposal and waste recycling pursuant to chapter 18.9 of title 23.](#)

2 [\(b\) It shall be the policy of the state, the department of education, and any school district](#)
3 [thereunder to require that any request for proposal \(RFP\) to select a food service company](#)
4 [\(vendor\) to provide food services to a single school district, regional school district or multiple](#)
5 [school districts shall include, as part of its proposal, assurances that the vendor is in compliance](#)
6 [with all Rhode Island general laws relative to recycling and composting pursuant to chapter 18.9](#)
7 [of title 23.](#)

8 **16-110-3. Food service – Local sources preferred.**

9 [It shall be the policy of the state, the department of education and any school district](#)
10 [thereunder to purchase ten percent \(10%\) of the required food service product from a Rhode](#)
11 [Island-based food service company.](#)

12 **16-110-4. Food donations.**

13 [It shall be the policy of the state, the department of education and any school district](#)
14 [thereunder to donate any nonperishable and/or unspoiled perishable food to local food banks or](#)
15 [the Rhode Island food bank.](#)

16 **16-110-5. Waste audit required.**

17 [On or after January 1, 2019, and annually thereafter, every educational institution shall](#)
18 [coordinate with the Rhode Island resource recovery corporation \(RIRRC\) for the purpose of](#)
19 [conducting waste audits which reports shall be collected and maintained.](#)

20 **16-110-6. Rules and regulations.**

21 [The commissioner is hereby authorized to promulgate whatever rules and regulations](#)
22 [may be required to implement this chapter and shall annually provide notice to all school districts](#)
23 [of the department's school waste disposal and refuse disposal policies.](#)

24 **16-110-7. Penalties.**

25 [Any person who violates the provisions of this chapter, or any rule or regulation, or order](#)
26 [issued pursuant to this chapter, shall be subject to a civil penalty, or not more than twenty-five](#)
27 [thousand dollars \(\\$25,000\). In the case of a continuing violation, each day's continuance of the](#)
28 [violation is deemed to be a separate and distinct offense.](#)

29 SECTION 2. Section 23-18.9-17 of the General Laws in Chapter 23-18.9 entitled "Refuse
30 Disposal" is hereby amended to read as follows:

31 **23-18.9-17. Food waste ban.**

32 (a) On and after January 1, 2016, each covered entity and each covered educational
33 institution shall ensure that the organic-waste materials that are generated by the covered entity or
34 at the covered educational facility are recycled at an authorized, composting facility or anaerobic

1 digestion facility or by another authorized recycling method if:

2 (1) The covered entity or covered educational facility generates not less than one hundred
3 four (104) tons per year of organic-waste material; and

4 (2) The covered entity or covered educational facility is located not more than fifteen (15)
5 miles from an authorized composting facility or anaerobic digestion facility with available
6 capacity to accept such material.

7 (b) On and after January 1, 2018, each covered educational institution shall ensure that
8 the organic-waste materials that are generated at the covered educational facility are recycled at
9 an authorized, composting facility or anaerobic digestion facility or by another authorized
10 recycling method if:

11 (1) The covered educational facility generates not less than fifty-two (52) tons per year of
12 organic-waste material; and

13 (2) The covered entity or covered educational facility is located not more than fifteen (15)
14 miles from an authorized, composting facility or anaerobic digestion facility with available
15 capacity to accept such material.

16 (c) The director shall grant a waiver of the requirements of subsections (a) and (b) upon a
17 showing that the tipping fee charged by the Rhode Island resource recovery corporation for non-
18 contract commercial sector waste is less than the fee charged for organic-waste material by each
19 composting facility or anaerobic digestion facility located within fifteen (15) miles of the covered
20 entity's location.

21 (d) On and after January 1, 2019, each covered entity and each covered educational
22 institution shall ensure that the organic-waste materials that are generated by the covered entity or
23 at the covered educational facility are recycled at an authorized, composting facility or anaerobic
24 digestion facility or by another authorized recycling method.

25 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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RELATING TO EDUCATION -- SCHOOL WASTE RECYCLING AND REFUSE DISPOSAL

1 This act would require schools to comply with composting and recycling laws, would
2 promote the donation of unspoiled nonperishable food by schools and would promote the
3 selection of local food service companies for school food service contracts.

4 This act would take effect upon passage.

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