

2014 -- S 2315

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2014

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A N A C T

RELATING TO HEALTH AND SAFETY -- FOOD RESIDUALS RECYCLING

Introduced By: Senators Cool Rumsey, Sosnowski, Goldin, Archambault, and Conley

Date Introduced: February 12, 2014

Referred To: Senate Environment & Agriculture

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 23 of the General Laws entitled "HEALTH AND SAFETY" is hereby  
2 amended by adding thereto the following chapter:

3 CHAPTER 18.18

4 FOOD RESIDUALS RECYCLING

5 **23-18.18-1. Purpose.** – The purposes of this chapter are:

6 (1) To establish a safe and environmentally sound food residuals recycling initiative in  
7 Rhode Island that covers facilities that generate food residuals in the state;

8 (2) To reduce the disposal of food residuals in landfills in order to minimize the  
9 production of greenhouse gases, recover the nutrient value of food residuals and extend the  
10 capacity of landfills;

11 (3) To develop a strategy for waste reduction in the state with the participation of  
12 manufacturers, processors and consumers; and

13 (4) To promote the creation of green jobs.

14 **23-18.18-2. Findings.** – The general assembly hereby finds and declares:

15 (1) Food residuals disposed in landfills result in the production and release of methane, a  
16 greenhouse gas twenty-one (21) times as potent as carbon dioxide;

17 (2) The nutrient value of food residuals disposed in landfills cannot be recycled into  
18 beneficial uses;

19 (3) Reducing the amount of food residuals sent to landfills will extend the life of those

1 landfills;

2 (4) In order to address these real threats to public health and the environment, efforts  
3 should be made to minimize the disposal of food residuals in landfills.

4 (5) Food residuals collected under the requirements of this chapter shall be managed  
5 according to the following order of priority uses:

6 (i) Reduction of the amount generated at the source;

7 (ii) Diversion of food consumption by humans;

8 (iii) Diversion for agricultural use, including consumption by animals; and

9 (iv) Anaerobic digestion, composting, and land application.

10 **23-18.18-3. Definitions.** – For the purposes of this chapter, the following words shall  
11 have the following meanings:

12 (1) “Food residuals” means organic material, including, but not limited to, pre-consumer  
13 and postconsumer food scraps, food processing residue and food-soiled non-recyclable paper  
14 products used in food preparation or food service that is recyclable, but excludes materials from a  
15 residence.

16 (2) “Organics recycling facility” means land, appurtenances, structures or equipment  
17 where food residuals originating from another process or location are recovered using a process  
18 of accelerated biological decomposition of organic materials under controlled aerobic or  
19 anaerobic conditions.

20 (3) “Residence” means a single, multi-family or group home, or apartment complex,  
21 Residence does not include any centralized dining facility.

22 (4) “Source separated” or “source separation” means the separation of compostable or  
23 recyclable food residuals from non-compostable, non-recyclable materials at the point of  
24 generation.

25 **23-18.18-4. Food residual disposal ban.** – (a) A person who produces more than an  
26 amount identified under subsection 23-18.18-4(b) of this section of food residuals and is located  
27 within twenty (20) miles of an organics recycling facility that has available capacity and that is  
28 willing to accept the food residuals shall:

29 (1) Separate food residuals from other solid waste, provided that a de minimis amount of  
30 food residuals may be disposed of in solid waste when a person has established a program to  
31 separate food residuals and the program includes a component for the education of program users  
32 regarding the need to separate food residuals; and

33 (2) Recycle food residuals on site or treat food residuals via on-site organic treatment  
34 equipment permitted pursuant to the general laws or federal law; or

1           (3) Arrange for the transfer of food residuals to an organics recycling facility; or  
2           (4) Arrange for the transfer of food residuals to another location that manages food  
3 residuals in a manner consistent with the priorities established under subsection 23-18.18-2(d).

4           (b) The following persons shall be subject to the requirements of subdivision (a)(1) of  
5 this section:

6           (1) Beginning on January 1, 2015, a person whose acts or processes produce more than  
7 fifty-two (52) tons per year of food residuals;

8           (2) Beginning on January 1, 2017, a person whose acts or processes produce more than  
9 twenty-six (26) tons per year of food residuals;

10          (3) Beginning of January 1, 2019, a person whose acts or processes produce more than  
11 eighteen (18) tons per year of food residuals; and

12          (4) Beginning on January 1, 2021, a person whose acts or processes produce any amount  
13 of food residuals.

14          SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T  
RELATING TO HEALTH AND SAFETY -- FOOD RESIDUALS RECYCLING

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- 1           This act would create a food residuals recycling program to establish a safe and
- 2   environmentally sound method to dispose of food residuals.
- 3           This act would take effect upon passage.

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