STATE OF RHODE ISLAND  
IN GENERAL ASSEMBLY  
JANUARY SESSION, A.D. 2022  

A N A C T  
RELATING TO HEALTH AND SAFETY -- REFUSE DISPOSAL -- FOOD WASTE BAN  

Introduced By: Senators Valverde, Kallman, DiMario, Miller, and Euer  
Date Introduced: March 10, 2022  
Referred To: Senate Environment & Agriculture  

It is enacted by the General Assembly as follows:  

SECTION 1. Section 23-18.9-17 of the General Laws in Chapter 23-18.9 entitled "Refuse Disposal" is hereby amended to read as follows:  


(a) On and after January 1, 2016, each covered entity and each covered educational institution shall ensure that the organic-waste materials that are generated by the covered entity or at the covered educational facility are recycled at an authorized composting facility or anaerobic digestion facility or by another authorized recycling method if:  

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

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

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

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

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

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

(d) On and after January 1, 2023, each educational entity (as defined in § 16-110-1) shall ensure that the organic-waste materials that are generated by the educational entity are recycled at an authorized composting facility or anaerobic digestion facility or by another authorized recycling method if:

1. The educational entity generates not less than thirty (30) tons per year of organic-waste material; and
2. The educational entity is located not more than fifteen (15) miles from an authorized composting facility or anaerobic digestion facility with available capacity to accept such material.

(e) On and after January 1, 2023, each covered entity shall ensure that the organic-waste materials that are generated by the covered entity are recycled at an authorized composting facility or anaerobic digestion facility or by another authorized recycling method if:

1. The covered entity generates not less than fifty-two (52) tons per year of organic-waste material; and
2. The covered entity is located not more than thirty (30) miles from an authorized composting facility or anaerobic digestion facility with available capacity to accept such material.

(f) On and after January 1, 2024, each covered entity shall ensure that the organic-waste materials that are generated by the covered entity are recycled at an authorized composting facility or anaerobic digestion facility or by another authorized recycling method if:

1. The covered entity generates not less than twenty-six (26) tons per year of organic-waste material; and
2. The covered entity is located not more than thirty (30) miles from an authorized composting facility or anaerobic digestion facility with available capacity to accept such material.

SECTION 2. This act shall take effect upon passage.
This act would require a covered entity generating organic waste materials of more than fifty-two (52) tons per year and located less than thirty (30) miles from an authorized composting facility or anaerobic digestion facility to recycle the waste at that facility beginning January 1, 2023. Effective January 1, 2024, the annual tonnage drops to more than twenty-six (26) tons per year. This act would take effect upon passage.