



**Department of
Environmental
Conservation**



Growing the Composting Industry in New York State

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Where does Food Waste come from?

Industrial

- Food processors (dairy, fruit and vegetable processors, breweries, and wine-making operations)

Institutional

- Schools, colleges, universities, correctional facilities, hospitals, nursing homes



Commercial

- Restaurants, groceries, fast food, retail establishments, hotels, hospitality, events centers

Residential

- Homes, apartments, etc.



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**Lost food is
generated
throughout the
entire process...**

- Farming
- Post-harvest and Packing
- Processing
- Distribution

- Retail
- Food Services
- Households



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Dominantly Linear System

FOOD SCRAPS



LANDFILL



Food Waste in the Landfills

Most significant greenhouse gas produced from waste is methane

Methane is released during the breakdown of organic matter in landfills

Organic matter includes food waste



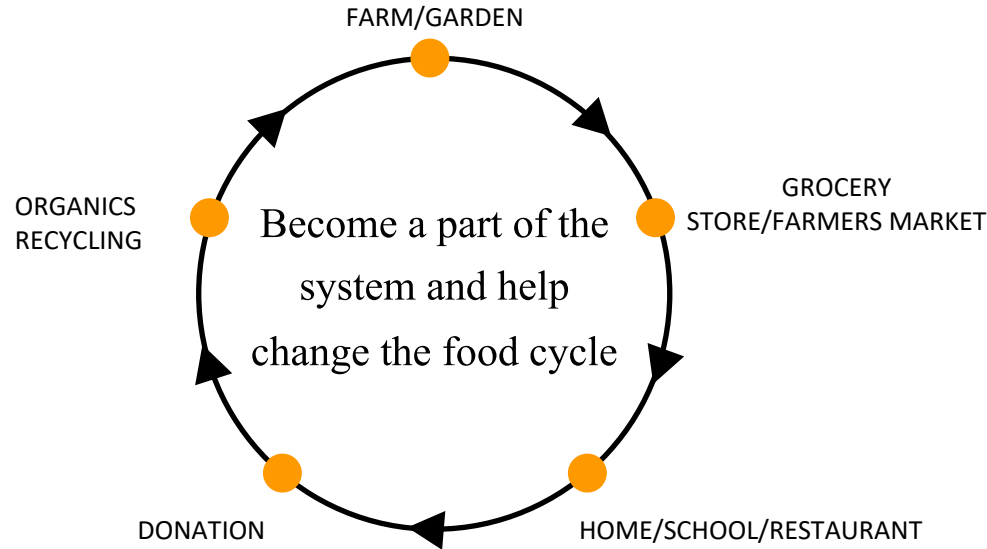
FOOD WASTE



METHANE PRODUCTION



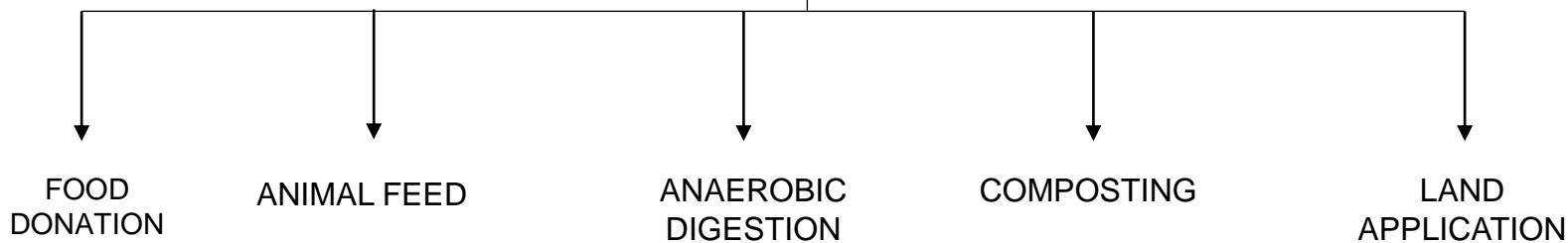
Promotion of Circular Systems



FOOD WASTE



LANDFILL



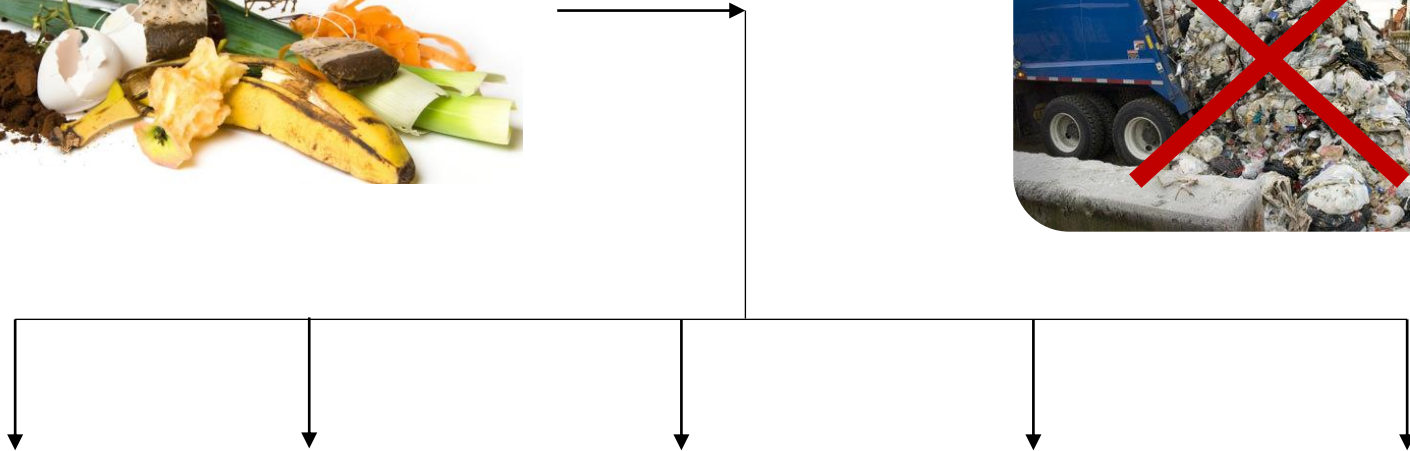
FOOD WASTE



LANDFILL



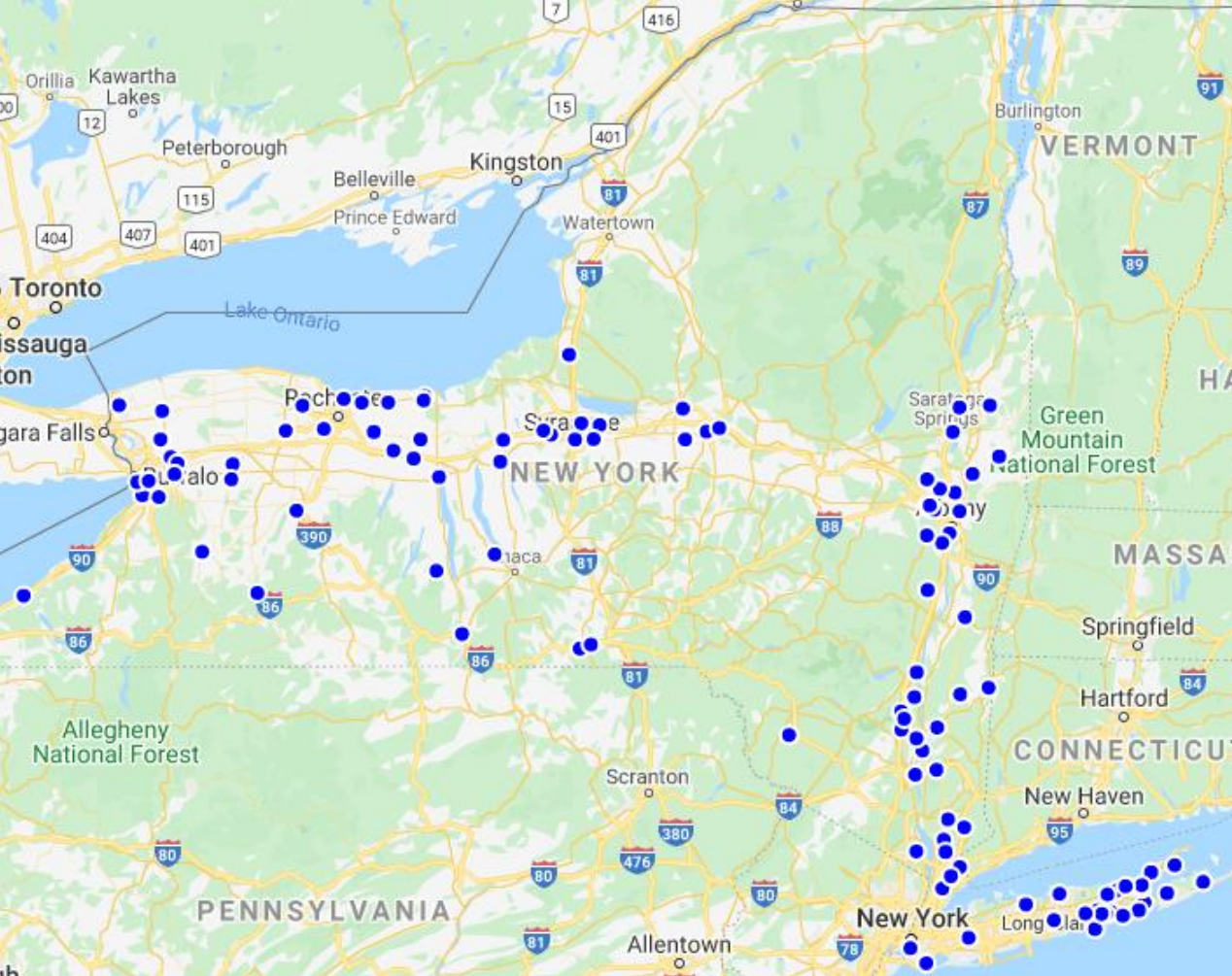
COMPOSTING



What is Composting?

“Controlled” aerobic decomposition of organic materials into a rich soil amendment known as compost.





Composting in NYS

- Regulated by DEC
- Currently ~50 regulated facilities allowed to accept food scraps
- Composting is happening at every level and growing

Composting Regulations

- [Summary of Subpart 361-3 Composting Regulations](#)
 - Regulated by the quantity and type of material being processed (food scraps, yard waste, biosolids, etc.)
 - Food Scraps

Regulatory Oversight	
Exempt	<ul style="list-style-type: none"> • Onsite (except sludges & animal carcasses) • Home Composting • ≤1,000 lbs or ≤1 cubic yard, whichever is greater, of SSO per week
Registration	<ul style="list-style-type: none"> • ≤5,000 cubic yards or ≤2,500 wet tons, whichever is less, of SSO per year
Permit	<ul style="list-style-type: none"> • >5,000 cubic yards or >2,500 wet tons, whichever is less, of SSOW per year

- For more information on [Drop Off Sites & Transporting Food Scraps](#)



Food Donation and Food Scraps Recycling Law

Effective January 1, 2022, businesses that generate an annual average of two tons of wasted food per week or more must...

1. donate excess edible food; and
2. recycle all remaining food scraps if they are within 25 miles of an organics recycler (composting facility, anaerobic digester, etc.).

[DEC webpage on the Food Donation & Food Scraps Recycling Law](#)

- Recording of Sept. 16th presentation available

[Sign up to receive announcements on the NYS Food Donation & Food Scraps Recycling law](#)



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What is a Designated Food Scraps Generator (DFSG)?

- Businesses that generate ≥ 2 tons per week (annual average) at a single location.
- For multiple small entities (mall or college campus) – depends on who contracts for waste management.

Exclusions:

- Hospitals
- Nursing Homes
- Adult Care Facilities
- Elementary and secondary schools
- New York City ([local law 146](#))
- Generators serviced by a mixed waste recycler (Delaware County)
- Farms



Preliminary Business Analysis

Sector	Number of Establishments
Colleges & Universities	84
Correction Facilities & Jails	31
Hospitality	75
Restaurants (Limited & Full Service)	230
Grocery & Specialty Food	400
Supercenters	75
Wholesale & Distribution	350
Approximate Total	1,245

Note: Some of these establishments already have robust donation programs, are recycling their food scraps, employing waste reduction initiatives, etc.

Disclaimer: This is a preliminary assessment and subject to change.



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Preliminary Business Analysis Continued

Other Businesses DEC is looking at:

- Food Processors
- Malls
- Convention & Trade Shows
- Casinos & Racetracks
- Amusement & Theme Parks
- Sporting Venues
- Golf Courses
- Airports
- Zoos & Aquariums



Preparing for 2022: Timeline

- **Now – April 27, 2021:** [Proposed Part 350 public comment period](#)
- **May 12, 2021:** Webinar: Update on Implementation of Law – What's Coming June 2021? – [registration now open](#)
- **June 1:** DEC publishes list of covered entities & other resources
- **June 22, 2021:** Webinar: Your Business is Required to Comply, Now What? – *registration opening soon*
- **July 2021:** Building Food Scraps Recycling Capacity – *registration opening soon*
- **Fall 2021:** Two Part Webinar Series for Designated Food Scraps Generators
 - How to Set up a Food Donation Program
 - How to Set up a Food Scraps Recycling Program
- **November 1:** Waiver Due Date for 2022
- **January 1, 2022:** Effective Date of Law



What role can local entities play?

- General education of wasted food reduction and home composting
 - DEC developing education materials on wasted food minimization
 - DEC revising home composting guide
- Development of food scraps recycling programs (e.g. compost facility, food scraps drop-off program)
 - Expansion of yard waste composting facilities to accept food scraps
- Build resource hub highlighting food scraps recycling opportunities in community, available workshops, food scraps haulers, etc.
- Facilitate conversations between stakeholders
- DEC Webpage: [Organics Management for Municipalities](#)



Benefits to North Country Communities Who Compost

- [Composting combats climate change](#)
- Food is grown, eaten and recycled right in “your backyard”
- Reduce hauling fees associated with disposing of trash outside of Adirondack Park
- Utilizes excess yard and tree debris
- Enhance acidic soils with compost (ph 6-7)
- Development of green business/job opportunities
- Engage community to think about their food



Community Composting Resources

- NYSAR3 Webinar Recording:
 - [Bringing Food Scraps Drop-Off Programs to Your Community](#)
- Institute for Local Self Reliance
 - [Community Composting Done Right: A Guide to Best Management Practices](#)
 - [A Home Composting Guide for Local Governments](#)
 - [Guide to Composting Onsite at Schools](#)



Join the Conversation

[NYS Association for Reduction, Reuse & Recycling \(NYSAR3\)](#)

- Organics Council
- [NYS Organics Summit](#)

[United States Composting Council \(USCC\)](#)

- [USCC Young Professionals Group](#)
- [USCC Annual Compost Conference](#)

[CREF Compost Operations Training Course](#)

[BioCycle Connect](#)

BioCycle Conferences

DECDelivers: [Solid Waste and Recycling Newsletter](#)





Contact Us!

For questions on the Food Donation & Food Scraps Recycling law email:

FoodScrapsLaw@dec.ny.gov

For other questions about organics management in NYS, please email:

organicrecycling@dec.ny.gov

Learn more about Organics Management in NYS:

<https://www.dec.ny.gov/chemical/8798.html>

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