

2023 -- H 5171

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

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A N A C T

RELATING TO HEALTH AND SAFETY - REFUSE DISPOSAL - FOOD WASTE BAN

Introduced By: Representatives Cortvriend, McGaw, Carson, Boylan, Bennett,
Speakman, McEntee, Donovan, Fogarty, and Knight

Date Introduced: January 19, 2023

Referred To: House Environment and Natural Resources

It is enacted by the General Assembly as follows:

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

3 **23-18.9-17. Food waste ban.**

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

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

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

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

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

19 (2) The covered entity or covered educational facility is located not more than fifteen (15)

1 miles from an authorized composting facility or anaerobic digestion facility with available capacity
2 to accept such material.

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

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

12 (1) The educational entity generates not less than thirty (30) tons per year of organic-waste
13 material; and

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

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

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

21 (2) The covered entity is located not more than thirty (30) miles from an authorized
22 composting facility or anaerobic digestion facility with available capacity to accept such material.

23 (f) On and after January 1, 2025, each covered entity shall ensure that the organic-waste
24 materials that are generated by the covered entity are recycled at an authorized composting facility
25 or anaerobic digestion facility or by another authorized recycling method if:

26 (1) The covered entity generates not less than twenty-six (26) tons per year of organic-
27 waste material; and

28 (2) The covered entity is located not more than thirty (30) miles from an authorized
29 composting facility or anaerobic digestion facility with available capacity to accept such material.

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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RELATING TO HEALTH AND SAFETY - REFUSE DISPOSAL - FOOD WASTE BAN

1 This act would require a covered entity generating organic waste materials of more than
2 fifty-two (52) tons per year and located less than thirty (30) miles from an authorized composting
3 facility or anaerobic digestion facility to recycle the waste at that facility beginning January 1, 2024.
4 Effective January 1, 2025, the annual tonnage drops to more than twenty-six (26) tons per year.

5 This act would take effect upon passage.

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