



General Assembly

January Session, 2021

***Raised Bill No. 930***

LCO No. 3293



Referred to Committee on ENVIRONMENT

Introduced by:  
(ENV)

***AN ACT CONCERNING FOOD WASTE DIVERSION AND ANAEROBIC DIGESTION FACILITIES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 22a-226e of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2021*):

3 (a) (1) On and after January 1, 2014, each commercial food wholesaler  
4 or distributor, industrial food manufacturer or processor, supermarket,  
5 resort or conference center that is located not more than twenty miles  
6 from an authorized source-separated organic material composting  
7 facility and that generates an average projected volume of not less than  
8 one hundred four tons per year of source-separated organic materials  
9 shall: (A) Separate such source-separated organic materials from other  
10 solid waste; and (B) ensure that such source-separated organic materials  
11 are recycled at any authorized source-separated organic material  
12 composting facility that has available capacity and that will accept such  
13 source-separated organic material.

14 (2) On and after January 1, 2020, each commercial food wholesaler or  
15 distributor, industrial food manufacturer or processor, supermarket,

16 resort or conference center that is located not more than twenty miles  
17 from an authorized source-separated organic material composting  
18 facility and that generates an average projected volume of not less than  
19 fifty-two tons per year of source-separated organic materials shall: (A)  
20 Separate such source-separated organic materials from other solid  
21 waste; and (B) ensure that such source-separated organic materials are  
22 recycled at any authorized source-separated organic material  
23 composting facility that has available capacity and that will accept such  
24 source-separated organic material.

25 (3) On and after January 1, 2022, each commercial food wholesaler or  
26 distributor, industrial food manufacturer or processor, supermarket,  
27 resort or conference center that is located not more than forty miles from  
28 an authorized source-separated organic material composting facility  
29 and that generates an average projected volume of not less than fifty-  
30 two tons per year of source-separated organic materials shall: (A)  
31 Separate such source-separated organic materials from other solid  
32 waste; and (B) ensure that such source-separated organic materials are  
33 recycled at any authorized source-separated organic material  
34 composting facility that has available capacity and that will accept such  
35 source-separated organic material.

36 (b) Any such wholesaler, distributor, manufacturer, processor,  
37 supermarket, resort or conference center that performs composting of  
38 source-separated organic materials on site or treats source-separated  
39 organic materials via on-site organic treatment equipment permitted  
40 pursuant to the general statutes or federal law shall be deemed in  
41 compliance with the provisions of this section.

42 (c) Any permitted source-separated organic material composting  
43 facility that receives such source-separated organic materials shall  
44 report to the Commissioner of Energy and Environmental Protection, as  
45 part of such facility's reporting obligations, a summary of fees charged  
46 for receipt of such source-separated organic materials.

47 (d) Not later than January 1, 2022, the Commissioner of Energy and

48 Environmental Protection shall establish a voluntary pilot program for  
49 any municipality that seeks to separate source-separated organic  
50 materials and ensure that such source-separated organic materials are  
51 recycled at authorized source-separated organic material composting  
52 facilities that have available capacity and that will accept such source-  
53 separated organic material.

54       Sec. 2. (NEW) (*Effective from passage*) The Commissioner of Energy  
55 and Environmental Protection shall engage in a reach out and education  
56 effort to municipalities concerning the ability of each municipality to  
57 establish an aerated static pile composting facility in such municipality  
58 for the purpose of diverting food waste from such municipality's solid  
59 waste stream. Such effort shall explain the potential fiscal and  
60 environmental benefits of such a facility for each municipality and the  
61 requisite permit application and procedures. Not later than February 1,  
62 2022, the commissioner, in accordance with section 11-4a of the general  
63 statutes, shall submit a report to the joint standing committee of the  
64 General Assembly having cognizance of matters relating to the  
65 environment detailing such efforts to date, including, but not limited to,  
66 responses from such municipalities and any efforts by such  
67 municipalities to establish such facilities as a result of such reach out  
68 efforts.

69       Sec. 3. (NEW) (*Effective from passage*) The Commissioner of Energy  
70 and Environmental Protection, in consultation with the Commissioner  
71 of Agriculture, the Connecticut Agricultural Experiment Station, The  
72 University of Connecticut Extension Service and the Department of  
73 Public Health, may adopt regulations, in accordance with the provisions  
74 of chapter 54 of the general statutes, to provide specifications for the  
75 production, quality and use of compost made from source-separated  
76 organic materials and mixed municipal solid waste. Such regulations  
77 shall contain provisions that: (1) Promote composting processes, (2)  
78 provide a clean, high-quality, nontoxic and marketable end product, (3)  
79 provide for the protection of land and water resources from  
80 contaminants and the prevention of adverse environmental and public  
81 health effects resulting from the composting operations or such product

82 application, (4) provide for maximum allowable levels of toxic  
 83 contaminants and other contaminants in the composting product, (5)  
 84 include testing criteria for such contaminants, (6) establish not less than  
 85 two classes of compost made from source separated organic materials  
 86 and mixed municipal solid waste, as follows: (A) Class I compost made  
 87 only from compostable source separated organic materials, such as food  
 88 waste, grass clippings and yard waste, that were separated from  
 89 municipal solid waste at the source of generation, and (B) Class II  
 90 compost made from mixed municipal solid waste that contains  
 91 compostable organic materials that were not separated at the source of  
 92 generation, (7) establish the maximum allowable contaminant levels for  
 93 Class I compost at a level that will allow unrestricted use of such  
 94 compost, and (8) prohibit the use of Class II compost for agricultural or  
 95 horticultural purposes unless such Class II compost meets the  
 96 maximum allowable contaminant levels established for Class I compost,  
 97 as determined by the testing criteria established pursuant to subdivision  
 98 (5) of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2021</i>	22a-226e
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>from passage</i>	New section

**Statement of Purpose:**

To encourage the development of additional anaerobic digestion and composting facilities in the state that are available to divert food waste from the state's solid waste stream.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*