

Bill No. 28-16  
Concerning: Solid Waste (Trash) –  
Strategic Plan to Advance  
Composting, Compost Use and Food  
Waste Diversion  
Revised: 11/15/2016 Draft No. 9  
Introduced: June 28, 2016  
Enacted: November 15, 2016  
Executive: November 28, 2016  
Effective: February 27, 2017  
Sunset Date: None  
Ch. 33, Laws of Mont. Co. 2016

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

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Lead Sponsor: Vice President Berliner  
Co-Sponsors: Councilmembers Katz, Hucker, Elrich, Riemer and Navarro

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**AN ACT** to:

- (1) require the Director of the Department of Environmental Protection to develop a Strategic Plan to Advance Composting, Compost Use and Food Waste Diversion in Montgomery County
- (2) generally amend County laws related to Solid Waste (Trash).

By adding

Montgomery County Code  
Chapter 48, Solid Waste (Trash)  
Section 48-17B

<b>Boldface</b>	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

*The County Council for Montgomery County, Maryland approves the following Act:*

1           **Sec. 1. Section 48-17B is added as follows:**

2   **48-17B. Strategic Plan to Advance Composting, Compost Use and Food Waste**  
3   **Diversion in Montgomery County.**

4   (a) *Legislative findings.* The County Council finds that:

- 5           (1) the County's general goal of solid waste management establishes  
6           waste reduction as the most preferred management technique,  
7           followed by reuse, composting and recycling, then incineration  
8           with energy recovery, and, least preferred, landfilling;
- 9           (2) food waste represents a significant percentage of the County's  
10           solid waste stream;
- 11           (3) educating food producers can reduce the generation of excess  
12           food that would enter the solid waste stream;
- 13           (4) giving food that would otherwise be wasted to organizations that  
14           serve people in need is a means to reuse excess food;
- 15           (5) composting, a means promoting the biological decomposition of  
16           organic material such as food waste into a stable, humus-like  
17           product, is a first step in the recycling of food waste;
- 18           (6) the use of compost has been demonstrated to benefit soil health  
19           by:
- 20                   (A) suppressing plant diseases and pests;
- 21                   (B) reducing or eliminating the need for chemical fertilizers;
- 22                   (C) Promoting higher yields of agricultural crops; and
- 23                   (D) Improving soil structure;
- 24           (7) compost use is a valuable tool in stormwater management that  
25           can lower runoff volume due to improved water holding capacity,  
26           healthy vegetation/biomass, and increased infiltration; and
- 27           (8) reducing excess food generation, reusing food that would  
28           otherwise be wasted, and increasing the amount of food and other

29                   compostable waste that is composted will help the County meet  
 30                   its goal of recycling 70% of the solid waste stream generated in  
 31                   the County.

32           (b)   Strategic Plan required. The Director must develop a Strategic Plan to  
 33                   Advance Composting, Compost Use and Food Waste Diversion in  
 34                   Montgomery County by [[July]] [[October 1, 2017]] January 1, 2018.  
 35                   The Strategic Plan must identify:

- 36                   (1)   legislative changes, including but not limited to amendments to  
 37                   this Chapter, necessary to reduce food waste and promote  
 38                   composting;
- 39                   (2)   County policies and initiatives to reduce food waste and promote  
 40                   and support composting in the county;
- 41                   (3)   models and best practices used by other jurisdictions
- 42                   (4)   metrics for assessing and increasing food waste diversion,  
 43                   composting, and compost use;
- 44                   (5)   goals for achieving certain levels of food waste diversion and  
 45                   dates for achieving those goals;
- 46                   (6)   challenges to achieving the goals and means of overcoming these  
 47                   challenges;
- 48                   (7)   potential sites for food waste composting operations;
- 49                   (8)   environmental and public health benefits of composting and food  
 50                   waste diversion; and
- 51                   (9)   cost estimates and potential economic and environmental benefits  
 52                   of implementing the Strategic Plan

53           (c)   Considerations. The Strategic Plan must consider the following areas in  
 54                   its legislative, policy, metrics, and cost recommendations:

- 55                   (1)   home composting;
- 56                   (2)   community-scale composting;

- 57 (3) on-site institutional and commercial composting;
- 58 (4) on-farm composting;
- 59 (5) small-scale commercial composting facilities;
- 60 (6) support for existing and new composting businesses in the form
- 61 of grants, loans, and land;
- 62 (7) models and best practices, including methods and materials, used
- 63 by other jurisdictions;
- 64 (8) use of incentives to encourage private food waste diversion and
- 65 composting; and
- 66 (9) diversion and composting of non-food waste compostables;
- 67 (10) local use of compost to support soil health and the County
- 68 stormwater management program;
- 69 (11) education and outreach to reduce food waste and promote
- 70 composting; and
- 71 (12) [[the environmental impact of residential trash hauling by private
- 72 haulers in upcounty solid waste service districts.]] strategies for
- 73 maximizing the volume of compostables collected in a curbside
- 74 collection program.

75 (d) Consultation with stakeholders. In developing the Strategic Plan, the  
 76 Director must consult with:

- 77 (1) the County Division of Solid Waste Services;
- 78 (2) the County Department of Permitting Services, including the
- 79 Land Development and Zoning and Site Plan Enforcement
- 80 Divisions;
- 81 (3) the County Department of Health and Human Services;
- 82 (4) the County Department of General Services;
- 83 (5) Montgomery County Public Schools;
- 84 (6) the County Planning Department;

- 85           (7) the County Parks Department;
- 86           (8) the County Office of Agriculture;
- 87           (9) the County Revenue Authority;
- 88           (10) the Montgomery County Food Council;
- 89           (11) the Montgomery Countryside Alliance;
- 90           (12) the County Solid Waste Advisory Committee;
- 91           (13) the University of Maryland Extension;
- 92           (14) Community Food Rescue; [[and]]
- 93           (15) the Maryland Horse Council;
- 94           (16) the governing bodies of all County municipalities; and
- 95           (17) organizations and individuals in the County involved in compost
- 96                 production and use and food waste diversion.

97           (e) Annual report. By July 1 each year, the Director must submit a report to  
 98                 the County Executive and County Council. The annual report must:

- 99                 (1) update the food waste diversion metrics; and
- 100                (2) document the progress towards achieving the goals of the  
 101                    Strategic Plan.

102 *Approved:*

103   
 Nancy Floreen, President, County Council


*November 16, 2016*  
 Date

104 *Approved:*

105   
 Isiah Leggett, County Executive

*November 28, 2016*  
 Date

106 *This is a correct copy of Council action.*

107   
 Linda M. Lauer, Clerk of the Council

*November 28, 2016*  
 Date