



MD Legislative Update: Compost-Related Bills

Brenda Platt
Director, Composting Makes \$en\$e Project
Institute for Local Self-Reliance

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HB878 & SB814

State Highway Administration – Compost and Compost-Based Products – Specification

<http://mgaleg.maryland.gov/2014RS/bills/hb/hb0878f.pdf>

To promote the use of compost as a landscaping and as a recycled material in highway construction projects in the state, the use of compost and compost-based products in highway construction projects in the state shall be a best management practice for:

- (1) erosion and sediment control; and
- (2) postconstruction stormwater management.



HB878 & SB814 cont.

Section 1:

The administration shall:

- (1) establish a specification for the acquisition and use of compost and compost-based products;
- (2) update the specification established under item (1) of this subsection as necessary, including making updates to the use of:

(i) Compost filter socks for:

- | | |
|-----------------------|---------------------------|
| 1. Sediment control | 8. Riser pipe filters |
| 2. Inlet protection | 9. Channel protection |
| 3. Check dams | 10. Bank stabilization |
| 4. Concrete washouts | 11. Biofiltration systems |
| 5. Slope interruption | 12. Slope stabilization |
| 6. Runoff diversion | 13. Level spreaders |
| 7. Sediment traps | 14. Vegetated gabions |



Bioswale (City of Portland, Oregon Bureau of Environmental Services)



Filter Sock
(Filtrex.com)

HB878 & SB814 cont.

- (ii) compost vegetated covers
- (iii) compost erosion control blankets
- (iv) compost stormwater blankets
- (v) compost vegetated strips
- (vi) compost engineered soil
- (vii) compost in a rain garden
- (viii) compost in a green roof system
- (ix) compost in vegetated retaining walls
- (x) compost grout
- (xi) compost bioswales
- (xii) compost in a biofiltration mix
- (xiii) compost in landscaping



Gabion
(Filtrexx.com)



Vegetated retaining wall
(Denbow.com)



Compost sock
(Filtrexx.com)



Compost blanket
(Denbow.com)

HB878 & SB814 cont.

Post the specification established under item (1) of this subsection on the administration's web site.

Section 2:

- 1) Review specs in other states (CA, IA, NY, OR, SC, TX, WA)
- 2) Assess how these can be adapted/replicated in MD
- 3) Develop recommendations for promoting use of compost in highway projects
- 4) Report back to General Assembly (including lessons learned from other states, and the potential market for using compost and compost-based products in highway projects)



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Biofiltration Swales



What is This Treatment?

Biofiltration Swales use plants in channels to capture and biologically degrade pollutants carried by stormwater runoff. As an additional benefit, Biofiltration Swales also reduce the velocity and volume of stormwater runoff.

Biofiltration is provided by both Biofiltration Strips and Biofiltration Swales. Biofiltration Strips, also known as vegetated buffer strips, are vegetated sections of land over which stormwater flows as sheet flow. Biofiltration Swales are vegetated channels that receive and direct the concentrated flow of stormwater.

Acceptable vegetation for Biofiltration Swales includes grasses, forbs, and ground cover.

When to Use This Treatment?

- Design Biofiltration Swales consistent with Caltrans policy as outlined in the documents linked at the bottom of this page.

Benefits:

Erosion Control Toolbox

[Toolbox Overview](#)

Tools

TO COMBINE SPECIFICATIONS

- [Sequencing](#)

PLANNING & DESIGN

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IMPROVE SOIL HEALTH

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MD Statewide Compost Work Group: Recommendations (select)

6. The State should endorse a variety of compost uses in its guidance and manuals as follows:

- ✗ MDE's Soil Erosion and Sediment Control Manual and Stormwater Design Manual should be updated to encourage the use of compost and compost products for a wide variety of sediment and erosion control and stormwater management purposes.
- ✗ The State Highway Administration's Materials and Technology Division should maintain up-to-date lists of specific approved compost and compost products (such as compost berms, filter socks, and blankets) for use in roadway projects and other applications.
- ✗ MDE, MDA, and MES should work with the State Highway Administration Recycled Materials Task Force to educate SHA on the uses of compost and to encourage approval of compost for a wider variety of uses.



HB1081

Composting and Anaerobic Digestion Facilities – Yard Waste and Food Residuals

<http://mgaleg.maryland.gov/2014RS/bills/hb/hb1081f.pdf>

- ✖ It expands the state's existing disposal ban on source-separated yard waste by requiring all yard waste to be source-separated for recycling if a composting or anaerobic digestion facility exists within 30 miles.
- ✖ It requires large-scale food waste generators (two tons per week or more) to source-separate food residuals if a composting or an anaerobic digestion facility exists within 30 miles.
- ✖ It requires the State to establish regulations for anaerobic digestion facilities.

HB1081 cont.

The bill aims to incentivize establishment of organics recycling facilities in Maryland by guaranteeing materials will be available

HB1081 based on other states

Massachusetts:

- ✗ Targets food waste generators who generate 1 ton a week or more of food or vegetative material.
- ✗ These materials are banned from disposal effective October 1, 2014.

Vermont:

- ✗ Law gradually expands from large food generators (>104 tons per year) in effect July 1, 2014, to every generator, including households, by July 1, 2020.
- ✗ The law has interim targets in 2015 (>52 tons per year), 2016 (>26 tons per year), and in 2017 (>18 tons per year).
- ✗ Only generators within 20 miles of a certified organics management facility with available capacity and willingness to accept food residuals are covered.
- ✗ Requires trash haulers offering curbside services to provide services for leaf and yard debris by 2016 and for food scraps by 2017.
- ✗ Residences are required to source separate leaf and yard debris by July 1, 2016, and food scraps by July 1, 2020.

Other state laws or bills, cont.

Connecticut:

- ✖ Requires certain large entities (commercial food wholesalers/distributors, industrial food manufacturers/processors, supermarkets, and resorts/conference centers generating 104 tons or more per year) to divert food waste by January 1, 2014, to composting if a permitted composting facility exists within 20 miles.
- ✖ By January 1, 2020, the law applies to entities generating 52 tons or more per year.

Rhode Island's proposed bill (H7033):

- ✖ Targets entities generating more than 52 tons per year by January 1, 2015.
- ✖ The bill gradually covers any amount by January 1, 2021, with interim targets in 2017 and 2019, but food scraps from homes and apartment buildings are excluded.

Recommended Amendments

1. Don't limit definition of food residuals to the examples listed (add "including but not limited to")
2. Allow anaerobic digestion facilities to qualify as recycling if they process source-separated organics and they compost or beneficially use the digested solid residuals.
3. Make the source-separation yard waste requirements only applicable April through November, during the high-season-yard-waste-generation months.
4. Push back implementation date from October 1, 2015 to January 1, 2016.
5. Allow separated yard waste to be recycled on-site or at a farm, composting facility, natural wood waste processing facility, mulching site or an anaerobic digestion facility.
6. Change the mile radius from 30 to 40 miles.
7. Retain the requirement in existing law (9-1724) that an owner or operator of a refuse disposal system may not accept truckloads of separately collected yard waste for final disposal. Clarify that anaerobic digestion facilities are acceptable receiving sites.
8. Clarify that the two-ton-per-week threshold for food residuals is per location.
9. Clarify that generators of two tons or more per week of food residuals can use any combination of reducing food residuals, donating servable food, installing an on-site system, agricultural use (including animal feed) or working with a hauler to send separated food residuals to a composting or anaerobic digestion facility.

Contact

Brenda Platt
Institute for Local Self-Reliance
bplatt@ilsr.org
www.ilsr.org/paydirt

For model policies, please visit:
<http://www.ilsr.org/initiatives/composting/>
and click on “Rules”



- ❖ Expanding composting = supporting made-in-America industry
- ❖ 1,400 new jobs could be supported for every 1 million tons of food scraps and yard trimmings converted into compost and used locally
- ❖ These jobs could pay \$23 million to \$57 million in wages
- ❖ Small-scale community-based composting works
- ❖ Composting sustains 2x more jobs than landfilling and 4x times more than burning trash (on a per-ton basis)
- ❖ Healthy soils need organic matter like compost

*Pay Dirt:
Composting in Maryland to
Reduce Waste, Create Jobs & Protect the Bay*

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