NEW YORK STATE | Department of Environmental Conservation

Organics Reduction & Recycling

Moving Forward in NYS

Molly Trembley, P.E. | NYSDEC
January 25, 2024 | Buffalo, NY

NYSDEC
Organics Reduction & Recycling Program

Regulate and promote the diversion of organics (wasted food, yard waste, biosolids, food processing waste, etc.) from disposal to beneficial uses.

- Regulatory Oversight & Technical Assistance
- Policy Implementation & Legislative Advocacy
- Funding Programs
- Outreach & Education

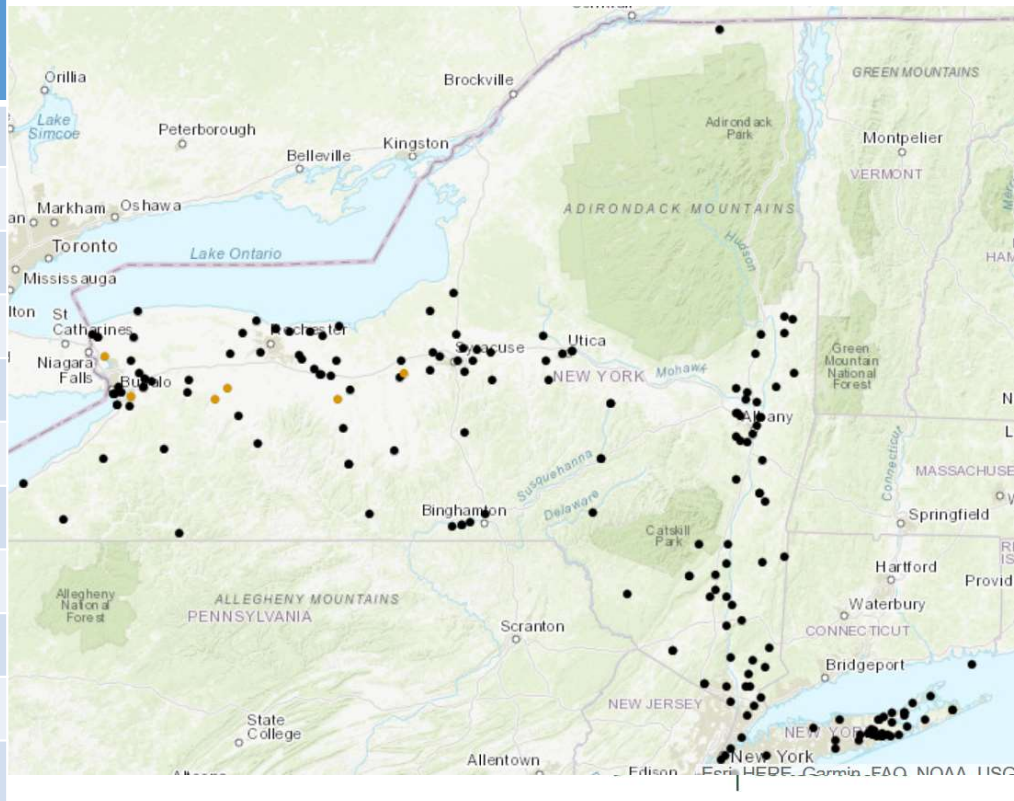
Broad group working on these issues!

Organics Reduction & Recycling Section – Central Office, Albany

Regional staff – Cover each of the 9 DEC Regions in all solid waste and recycling programs

Organics Recycling in NYS

Facility Type	Statewide	Region 9 (6 Counties in WNY)
Anaerobic Digestors	5	3
Biosolids Composting	30	6
Yard Trimmings Composting	116	16
SSO Composting (incl. food scraps)	59	9
Mortality Composting	10	2
Mulch Processing	47	10
Food Processing Waste Land App	58	3
Biosolids Land App	19	2
Septage Land App	63	14
Storage	39	3
NEW! 3rd Party CAFO Manure Land App	-	-



New York State Solid Waste Management Plan

Published 12/27/23

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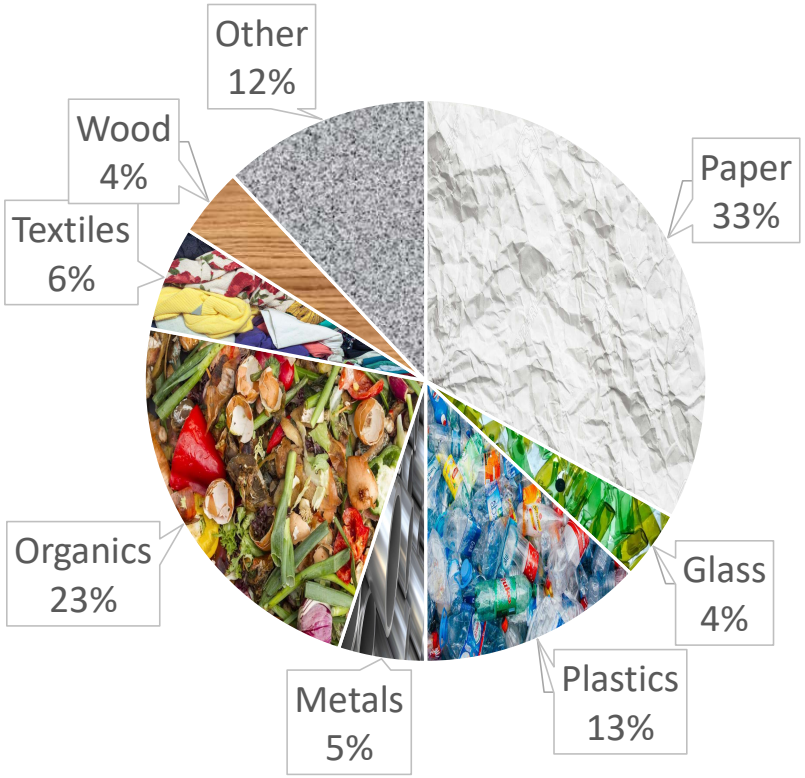
Managing NYS's Municipal Solid Waste Stream



Scope of Plan

- Background on current solid waste management in New York State;
- Issues, challenges, and opportunities including:
  - Climate
  - Throw-away culture
  - Global markets
  - Information sharing and technology
  - Equity issues
  - Ecosystem impacts
  - Emerging contaminants sampling and research
- Values and visions with regards to materials management in New York State and the guiding principles that will provide the direction and structure to get us there
- 6 Focus Areas and a detailed roadmap of the actions that must be taken to achieve the waste disposal reduction goals through 2050

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Vision

- Landfilling is reduced by 85% by 2050
- The circular economy is realized
- Collaboration and innovation are commonplace
- “Waste” is a concept of the past
- Climate change mitigation is fully implemented
- Shared responsibility is a given
- Equitable, inclusive, and accessible waste reduction and reuse efforts are widespread
- Responsible and resilient markets thrive

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Action Items

- 168 action items spread across 31 goals
- 33 action items require legislative action
- Action items are aligned with the recommendations in the CLCPA Final Scoping Plan

Download the full final plan here:
https://dec.ny.gov/environmental-protection/waste-management/solid-waste-management-planning/nys

Transformative Legislative Action Needed

- **Developing EPR for paper and packaging**, and framework legislation that allows the addition of other products
- **Expand and amend the existing Food Donation & Food Scraps Recycling Law** (include smaller businesses and institutions, eliminate the mileage limit to an organics recycling facility)
- **Require a per ton disposal disincentive surcharge** on all waste disposed in NYS and all waste generated in NYS being sent for disposal out-of-state to provide financial support for reduction, reuse and recycling projects

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Climate Leadership and Community Protection Act

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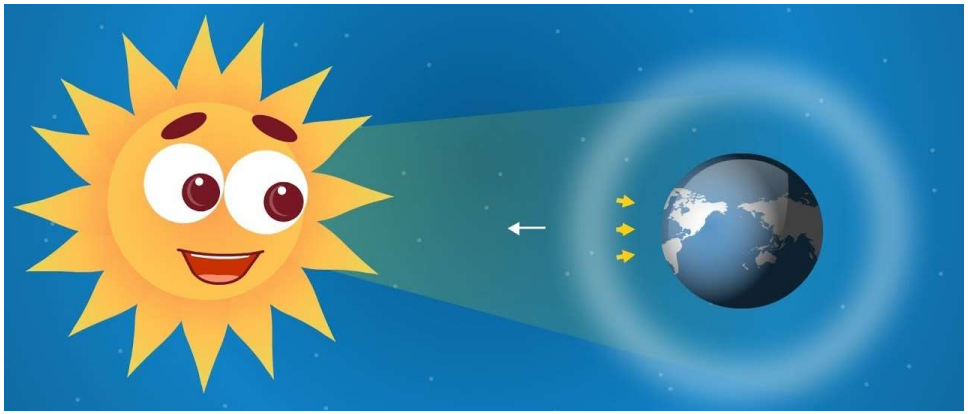
Department of Environmental Conservation

Climate Leadership and Community Protection Act

The CLCPA has 3 GHG reduction requirements.

1. 2030 statewide GHG emissions limit (40x30)
2. 2050 statewide GHG emissions limit (85x50)
3. 2050 net zero goal (100x50)



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How does this relate to waste?

1) The CLCPA "math" highlights sources of methane.
2) It will take time to see a change in solid waste emissions.
3) The CLCPA is a big opportunity for Recycling and especially **Organics Mgmt**

Current Estimated GHG Emissions by Sector

Scoping Plan and Integration Analysis

- Reflects Advisory Panels recommendations, Just Transition Working Group strategies, Climate Justice Working Group comments

- Models various scenarios and the Scoping Plan's forecasted impact on emissions reduction

Scoping Plan Strategies

Focus on:

- Introducing/implementing legislation
- Enact regulations
- Provide financial support statewide

Issues:

- Financial limitations
- Behavioral change
- Logistics (including low landfilling costs)
- Viable markets for resultant products/soil amendments

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SWM Facility Permitting Impacts

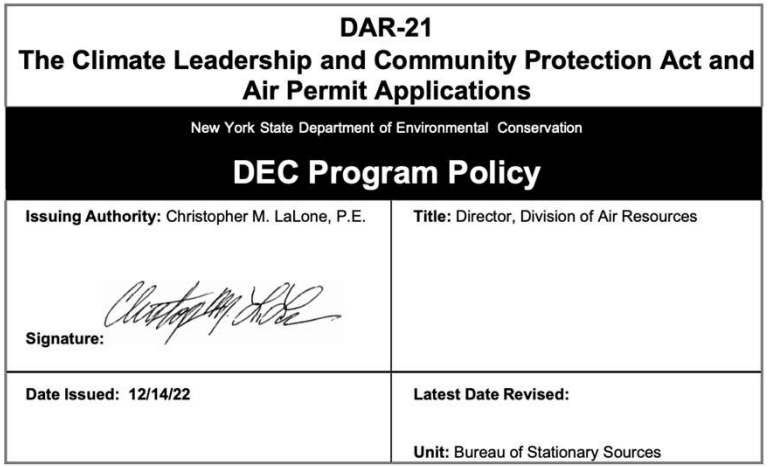
Commissioner Policy #49:

https://www.dec.ny.gov/regulations/56552.html

Specific program guidance issued for air permits:
https://www.dec.ny.gov/docs/air_pdf/dar21.pdf

Materials Management Facilities:

DEC currently assessing on a site-by-site basis; program specific guidance coming soon.



DAR-21
The Climate Leadership and Community Protection Act and Air Permit Applications

New York State Department of Environmental Conservation

DEC Program Policy

Issuing Authority: Christopher M. LaLone, P.E. **Signature:**	**Title:** Director, Division of Air Resources
Date Issued: 12/14/22	**Latest Date Revised:** **Unit:** Bureau of Stationary Sources

I. **Summary:** This policy document, issued by the New York State Department of Environmental Conservation (DEC) Division of Air Resources, outlines the requirements for analyses developed pursuant to Section 7(2) of the Climate Leadership and Community Protection Act (CLCPA) in support of air pollution control permit applications.

II. **Policy:** Consistent with CP-49, Climate Change and DEC Action, this policy is written to provide guidance for applicants and DEC staff when preparing and reviewing CLCPA analyses submitted to DEC in support of air pollution control permit applications.

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The State Energy Plan
will be updated to incorporate the recommendations of the Scoping Plan

Every five years,
the Climate Action Council will update the Scoping Plan as part of the ongoing process

DEC will have until January 1, 2024,
to draft & circulate enforceable regulations to ensure the State meets the Climate Act's statewide GHG emission limits

Every four years,
DEC will publish a report on the implementation of GHG reduction measures (consulting with the Climate Action Council and Climate Justice Working Group)

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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

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CLCPA & Organics

- Reduce disposal
- Food Law, eventual disposal ban
- Fee per ton on waste disposed
- Funding/resource opportunities
- Regulatory revisions
- Expand and replicate successful local collection programs
- Research
- Fugitive emissions monitoring and reduction
- Market development

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Sensing a trend?

Both the State Solid Waste Management Plan and the CLCPA require big moves in organics reduction and recycling…

THE FOOD DONATION &

FOOD SCRAPS RECYCLING LAW

TOOK EFFECT JANUARY 1, 2022

Food Donation & Food Scraps Recycling Law

Businesses that generate an annual average of two tons of wasted food per week or more must…

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

Total DFSGs Required to Donate: 1,164

Total DFSGs Required to Recycle Food Scraps: 458

View list of businesses & institutions required to comply

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

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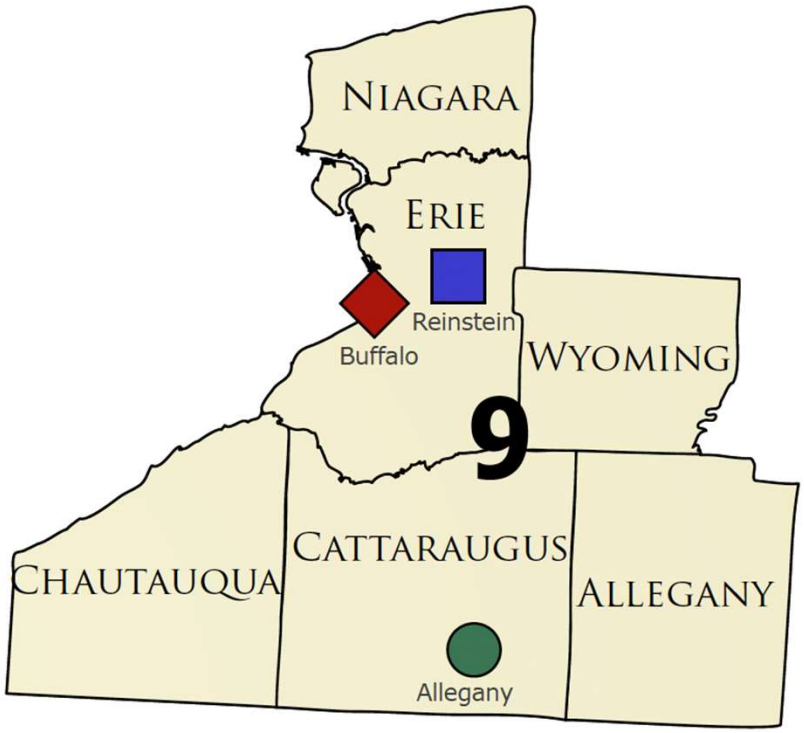
Adopted Part 350 Regulations

6 NYCRR Part 350 Regulations implement the requirements outlined in the Law for:

- Designated food scraps generators;
- Organics recyclers and transfer facilities;
- Transporters; and
- Solid waste management facilities (landfills and combustors).

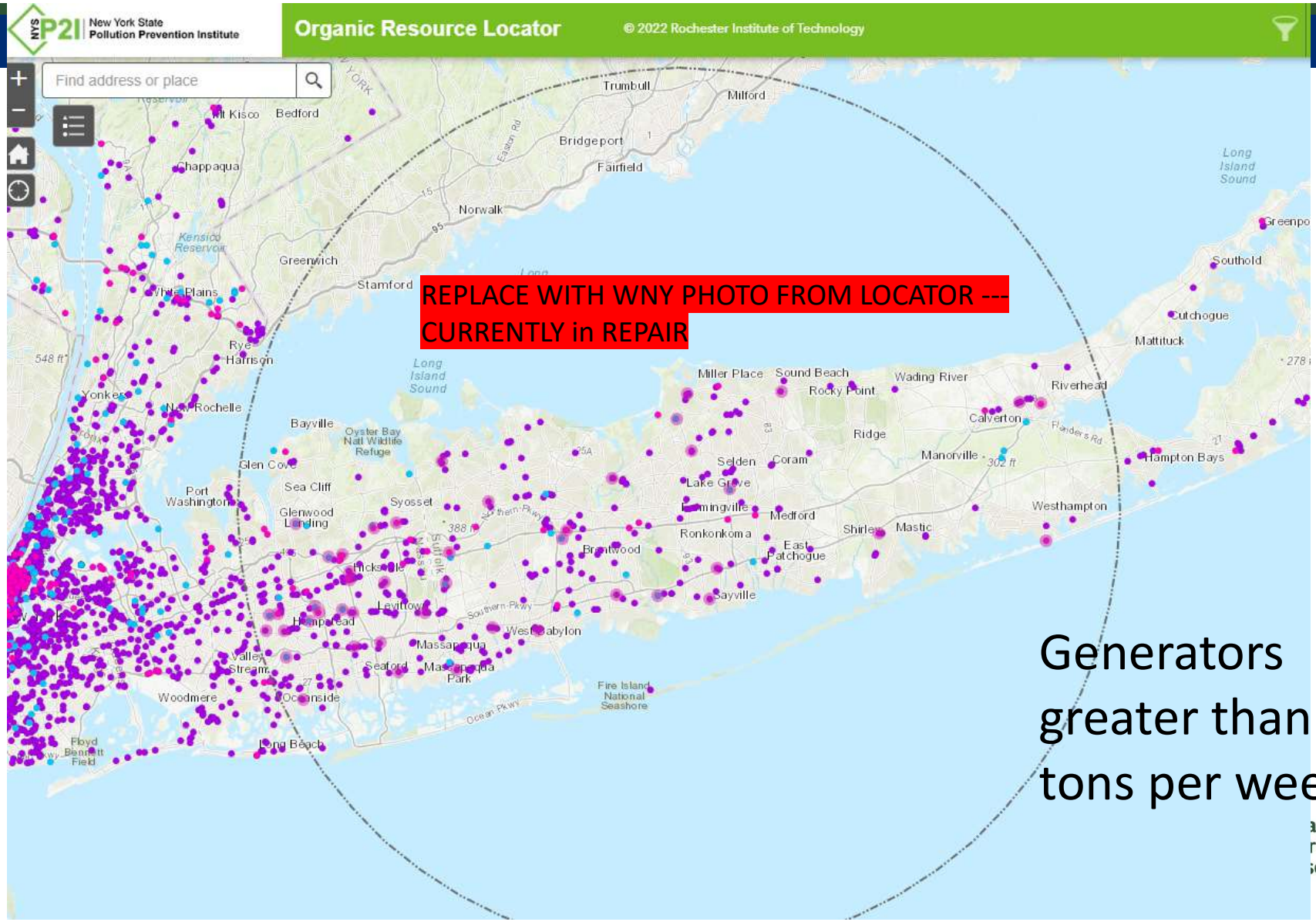
Food safety still regulated by NYSDOH & NYSDAM

DEC Region 9



Large Food Scraps Generators 2024

Sector	Total	Must Donate	Must Recycle
Colleges	9	9	6
Jails	4	4	3
Grocery	39	39	32
Hospitality	13	13	13
Restaurants	44	44	38
Supercenters	10	10	9
Amusement Parks	0	0	0
Casinos/Racetracks	1	1	0
Malls	4	4	0
Sporting Venues	2	2	0
Wholesale	9	9	0

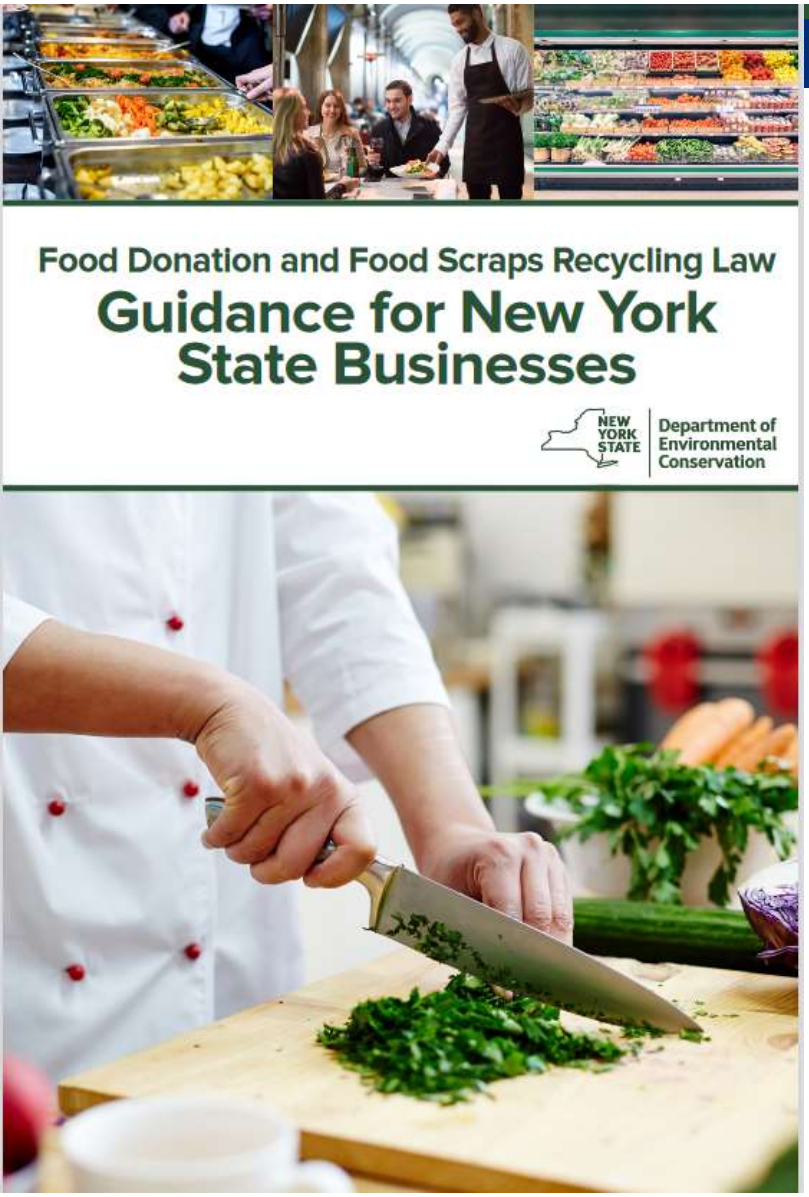

NYS P2I New York State Pollution Prevention Institute
Organic Resource Locator
© 2022 Rochester Institute of Technology
Find address or place
REPLACE WITH WNY PHOTO FROM LOCATOR --- CURRENTLY in REPAIR
Generators greater than 2 tons per week
Trumbull
Milford
Bridgeport
Fairfield
Norwalk
Greenwich
Stamford
Mt Kisco
Bedford
Chappaqua
Kensico Reservoir
White Plains
Rye
Harrison
Yonkers
New Rochelle
Long Island Sound
Bayville
Oyster Bay Natl Wildlife Refuge
Glen Cove
Sea Cliff
Port Washington
Glenwood Landing
Syosset
Hicksville
Levittown
Hempstead
Valley Stream
Seaford
Massapequa
Massapequa Park
Woodmere
Oceanside
Long Beach
Floyd Bennett Field
Fire Island National Seashore
West Babylon
Brentwood
Ronkonkoma
Lake Grove
Lindenhurst
Medford
Selden
Coram
Ridge
Miller Place
Sound Beach
Rocky Point
Wading River
Riverhead
Calverton
Manorville
Hampton Bays
Westhampton
Shirley
Mastic
East Patchogue
Sayville
Southold
Greenport
Cutchogue
Mattituck
Southern Pkwy
Ocean Pkwy
548 ft
388 ft
302 ft

First Year of Implementation

- Donation has been a great success!
- Food scraps recycling will take time to grow
- Spot inspections are happening across State (performed by DEC)
- Working with businesses to ensure they understand the law and their requirements under the law

View the full report here:

https://extapps.dec.ny.gov/docs/materials_minerals_pdf/2022foodannualreport.pdf



Guidance for New York State Businesses

- Food Waste Reduction
  - Quantifying your food waste
  - Determining the root causes of your food waste
- Food Donation
  - Liability protection
  - Donating prepared foods
  - Proper cooling procedures
  - Best practices for labeling, storing and transporting
- Food Scraps Recycling
  - Separating and storing food scraps
  - Training staff
  - Transporting food scraps for recycling

View Business Guidance Handbook

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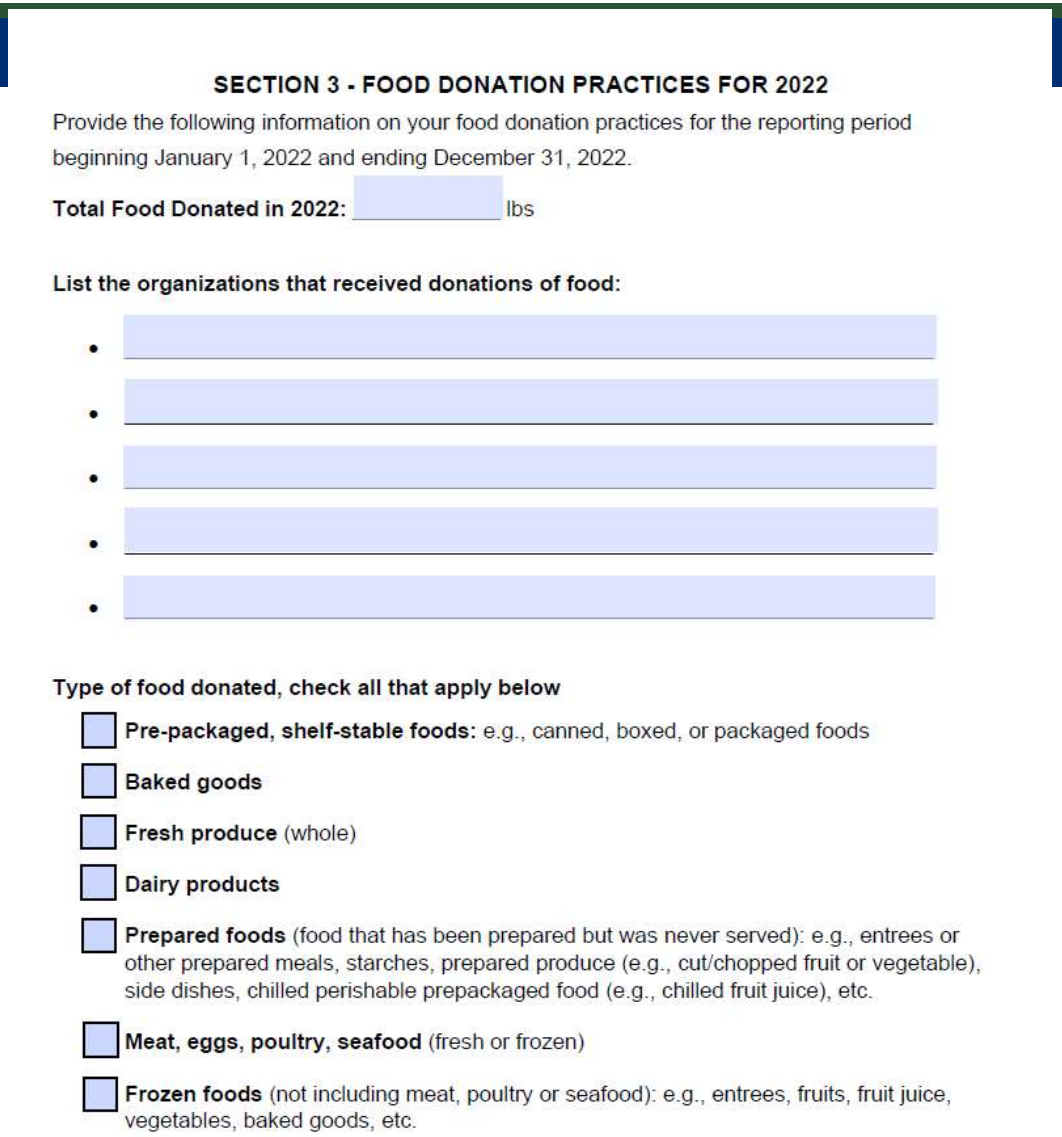
DFSG Annual Reporting

- Required to submit annual report to DEC – amount donated and recycled, transporter and recycler used, etc.
- Due March 1, 2023 and annually thereafter
- Governor and Legislature Report



SECTION 3 - FOOD DONATION PRACTICES FOR 2022

Provide the following information on your food donation practices for the reporting period beginning January 1, 2022 and ending December 31, 2022.

Total Food Donated in 2022: _____ lbs

List the organizations that received donations of food:

- _____
- _____
- _____
- _____
- _____

Type of food donated, check all that apply below

- ☐ **Pre-packaged, shelf-stable foods:** e.g., canned, boxed, or packaged foods
- ☐ **Baked goods**
- ☐ **Fresh produce** (whole)
- ☐ **Dairy products**
- ☐ **Prepared foods** (food that has been prepared but was never served): e.g., entrees or other prepared meals, starches, prepared produce (e.g., cut/chopped fruit or vegetable), side dishes, chilled perishable prepackaged food (e.g., chilled fruit juice), etc.
- ☐ **Meat, eggs, poultry, seafood** (fresh or frozen)
- ☐ **Frozen foods** (not including meat, poultry or seafood): e.g., entrees, fruits, fruit juice, vegetables, baked goods, etc.

Donation Technical Assistance

FeedingNYS Call Center

- Setting up a donation program
- Finding a food bank or local food rescue organization to partner with
- Understanding food safety practices when donating

Onboarding new businesses required to donate

Working with businesses who are already donating to expand what they are donating

Over 5 million pounds donated

Rethink Food Waste NY

- Contracted with Center for EcoTechnology
- ***Free*** technical assistance to New York State businesses, and institutions
- ***Free*** technical assistance to organics recyclers -- composting consultants on hand

[For more information]

NYSP2I Sustainable Food Program Snapshot

Summary of Key Annual Objectives

- **NYS Priority Initiatives**
  - Organize, market and facilitate stakeholder meetings
  - Develop draft annual list of large food scraps generating businesses
  - Perform 25 mile radius analyses for designated recycling facilities for NYSDEC capacity assessment
  - Research and report on new waste estimation methodology
  - ***Manage reimbursement program for generators and businesses***
- **Outreach and Education**
  - Organic Resource Locator map
  - Develop and disseminate educational resources and tools
- **Technical Assistance**
  - Complete projects lasting 4 – 6 months in length to reduce, donate or otherwise recycle organics
  - Provide brief assistance on an ongoing basis to help address immediate needs

Conservation

FUNDING for Munis and EFROs

$2 million available with first $1 million prioritized to eligible projects that dedicate at least 50% of the total funding to serving environmental justice communities.

- Increased Residential Food Scraps Recycling Opportunities
- New or Expanded Food Scraps Recycling Programs and Facilities

Eligible Items:

- Staffing
- Travel
- Equipment & Vehicles
- Facility Expansion Costs
- 1-year pilot programs
- Depackagers/decontamination equipment

Grant Funding: 75% Match: 25%

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Expanding Funding

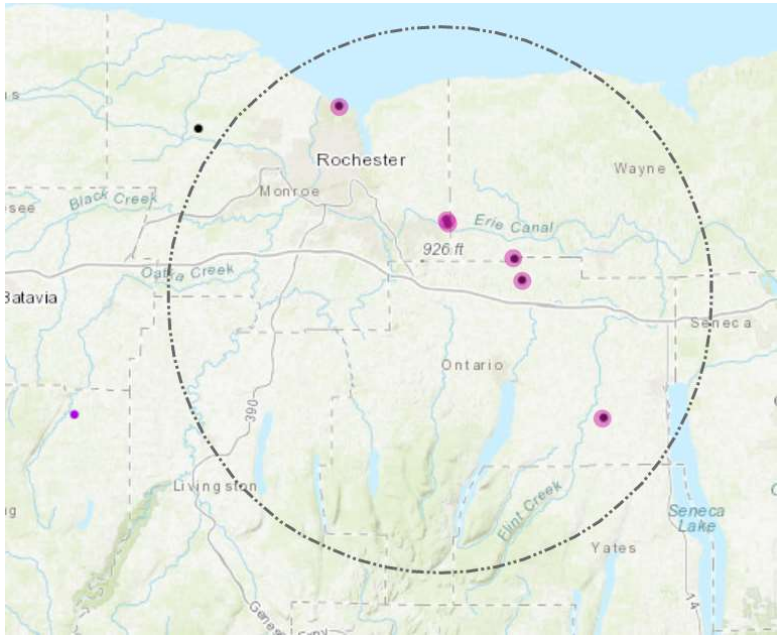
DEC Municipal Funding for Food Scraps Recycling Initiatives

- Creating or expanding programs to increase residential food scraps recycling
- Creating or expanding food scraps recycling facilities

  $1.25 Million ADDITIONAL FUNDS

Proposed & Potential Amendments

CLCPA, State SWMP, legislation proposals, etc.



- Eliminate 25-mile radius for recycling requirement
- Reduce 2 tons/week threshold
- Expanding covered generator types

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Other Food Scraps Recycling Laws

States:

1. Connecticut – 0.5 tons per week, 20-mile radius
2. Rhode Island – 2023: 2 tpw, 2024 – 1 tpw, 30-miles
3. Massachusetts – 0.5 tpw
4. New Jersey – 1 tpw, 25-mile radius
5. Oregon – 2022: 0.5 tpw, 2023: 0.125 tpw
6. Vermont - all

Cities:

New York City, Seattle, San Francisco, Portland, etc.

Stay updated on the law!

Sign up to receive announcements on the NYS Food Donation & Food Scraps Recycling law

Questions about the law? Email us at FoodScrapsLaw@dec.ny.gov

Questions about organics recycling? Email us at organicrecycling@dec.ny.gov

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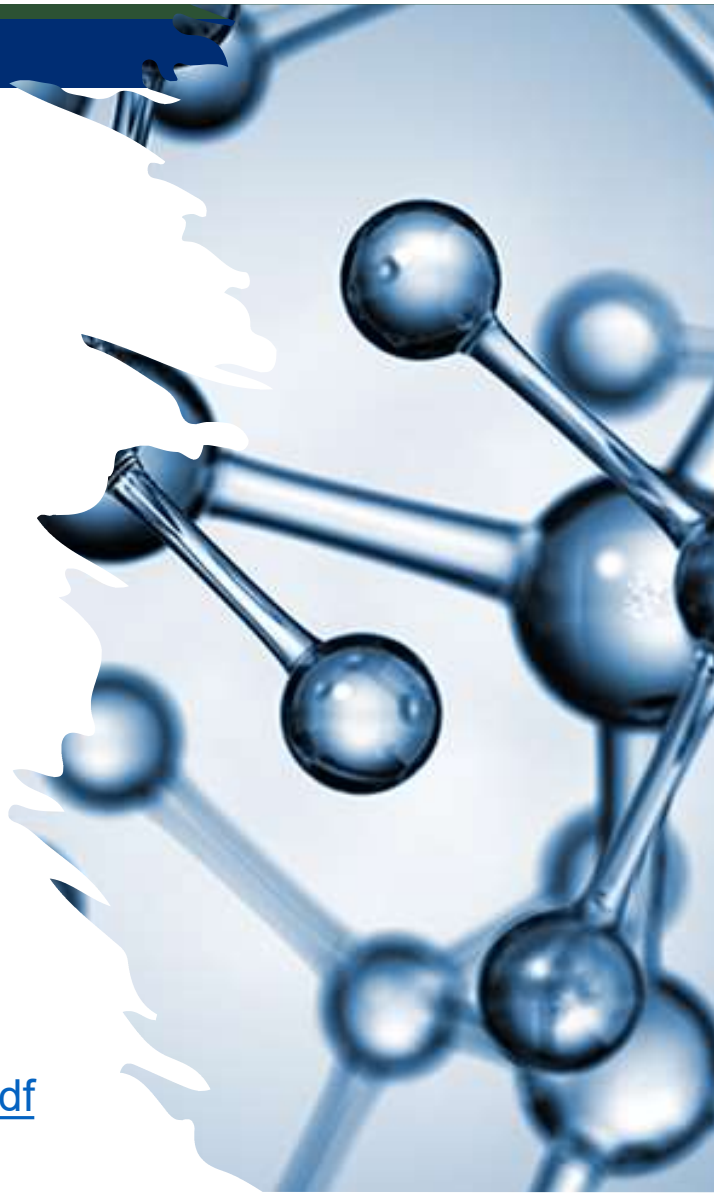
What's new in organics management?

Beyond food, what else is happening in NYS with organics management?

DMM-7
Biosolids Program Policy



Establishes interim PFOS and PFOA sampling criteria for biosolids that are recycled in New York State.

This policy will remain in place until EPA issues risk-based standards applicable to recycled biosolids, which DEC will incorporate into further rulemaking. (EPA estimates Dec. 2024)

Policy will provide data for DEC to use in the development of future regulations.

Link:
https://extapps.dec.ny.gov/docs/materials_minerals_pdf/dmm7.pdf

Policy Details

Within 180 days of policy issuance, all permitted 361-2 and 361-3 facilities accepting biosolids must:

- Develop & submit sampling plan to DEC
- Sample each source (WRRF) and submit data to DEC (DEC *may* fund)
- Draft EPA Method 1633 required (must analyze all PFAS compounds provided by that method)

*DEC may require additional analyses using the SPLP (synthetic precipitation leaching procedure) and use those results in the determination.

PFOA or PFOS in biosolids, dry weight (ug/kg or ppb)*	Action Required for Biosolids that are Recycled
20 or less	No action required.
20 – 50	Additional sampling required. DEC will take appropriate steps to restrict recycling after 1 year if PFOS or PFOA levels are not reduced to below 20 ppb or less.
50 or greater	DEC will take action to prohibit recycling until PFOS or PFOA concentration is below 20 ppb.

New Technical Assistance & Research

Cannabis Technical Assistance

- Working with Office of Cannabis Management to encourage composting as a viable waste management method for cannabis grown for medicinal and adult-use
  - *Regulations still in development*
- Technical assistance to cannabis growers for onsite composting

SUNY College of Environment Science & Forestry (ESF)

- Feasibility of composting non-marketable paper
- Assessing PFAS in biosolids

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Upcoming Training Opportunities

2023 & 2024 – Free Compost Site Workshop Series

- 1 Day Trainings (focused on composting food scraps)
- Will be hosted around the state
- Hosted by DEC, CET, James McSweeney & NYS experts

2025 - CREF Compost Operations Training Course (40 hour, 5 day course)

Third-Party CAFO Land Appliers

NEW REGISTRATION REQUIREMENTS

6 NYCRR Part 361-2.3(c)

Final rulemaking effective July 22, 2023

180 day transition period

Who is required to register?

Third-party CAFO land appliers: a person who land applies manure or process wastewater from a CAFO onto land that is under the control of a CAFO. Does not include CAFO owner or employee.

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Registration Requirements

All land application must be done in accordance with the CAFO's field-specific current nutrient management plan

Signed contractor certification statement must be submitted to CAFO prior to application

Calibration – Cornell Agronomy Fact Sheet # 18

Cornell University
Cooperative Extension

Agronomy Fact Sheet Series **Fact Sheet #18**

Calibrating Manure Spreaders

Introduction
Manure spreader calibration is an important step in nutrient management planning. Proper calibration can eliminate application rate guesswork. In this fact sheet four basic methods for calibrating manure spreaders are described.

Method 1: Using Drive-Over Scales
This method works well for solid, semi-solid, and liquid manure sources. Both the tractor and spreader need to be weighed, as weight from the spreader is transferred to the tractor drawbar. Ideally, use farm scales that weigh the tractor and spreader together. If farm scales are not available, portable scales can be used, weighing each axle individually (Figure 1). For tractors with dual tires or large flotation tires, put scales side-by-side for a wide enough pad; this typically means using four scales to weigh one axle, noting weights for each scale per axel.

Figure 1: With portable scales, weigh each axle separately.

Step 1: Determine weight of the manure.
Whether you are using portable or large-scale truck scales, first weigh the tractor and spreader empty, record each axle weight, and then repeat the procedure with a fully loaded spreader. The full weight minus the empty weight equals the weight of the manure.

Step 2: Determine application area.
Measure the width and length of the application pattern. The width is easily measured with a regular measuring tape or acreage measuring wheel. The length can also be determined using a GPS unit. Length times the width divided by 43,560 (square feet per acre) equals the total acreage covered.

Step 3: Calculate rate.
To determine the application rate in pounds per acre, divide the manure weight (step 1) by the application acreage (step 2). Divide this by 2000 to get the application rate in tons per acre. To convert to gallons per acre, a manure density value is needed. A manure test will give you the density in pounds per gallon. For guidelines on manure sampling, analysis and interpretation, see Agronomy Fact Sheet 38.

An example for Method 1:

Manure weight (full – empty): 33,720 lbs
Manure density: 8.43 lbs/1000 gallons
Spreader pattern width: 40 feet, length: 500 feet

Application rate in gallons per acre:
(Step 1) amount: 33720/8.43=4000 gallons
(Step 2) area: (40*500)/43560=0.46 acre
(Step 3) rate: 4000/0.46=8712 gallons per acre

Method 2: Using Tarps
This method can be used for solid and semi-solid manure. It uses three tarps of a known size (e.g. 4 by 7 feet, 6 by 6 feet, or 56 by 56 inches) and 5-gallon buckets.

Step 1: Determine tarp and bucket weight.
Weigh each bucket separately with one tarp in each and record the weights.

Step 2: Stake sheets and apply manure.
Stake the tarps at different intervals along the spreading pathway. Apply the manure, using the preferred gear and engine speed.

Step 3: Collect, weigh and determine rate.
Carefully put the tarp, including manure, into the bucket and reweigh. Subtract the weight of the empty bucket plus tarp from the full weight. Repeat three times. Determine the average weight of manure in lbs and use Table 1 to derive the application rate in tons per acre.

Table 1: Tarp calibration chart for Method 2*.

Weight of manure	Size of plastic sheet		
	6' x 6'	4' x 7'	56" x 56"
Pounds	Manure application rate (tons per acre)		
8	5	6	8
10	6	8	10
12	7	9	12
14	8	11	14
16	10	12	16
18	11	14	18
20	12	16	20
22	13	17	22
24	15	19	24
26	16	20	26
28	17	22	28
30	18	23	30
32	19	25	32
34	21	26	34
36	22	28	36
38	23	30	38
40	24	31	40

*If you used a different tarp size, first calculate the area of an individual tarp (length x width in feet divided by 43,560 for size in acres), then divide the manure weight (in lbs) by the calculated acreage. Divide by 2000 for tons/acre.

An example for Method 2:

Size of three tarps used: 6 feet by 6 feet
Weight of the manure: 20 lbs, 21 lbs, and 19 lbs

Application rate in tons per acre:
Average amount for the three tarps: 20 lbs
From Table 1: manure application rate = 12 tons/acre

Method 3: Counting Loads
Field size and average manure load (in tons or gallons per load) can be used to determine rate of application of solid, semi-solid, and liquid manure sources. To determine the weight or volume of the spreader, weigh the tractor and spreader as in Method 1, or, if scales are not available, use the manufacturer listed volume of the spreader. If you use the listed volume, remember that manure foams so assume 90% of the stated capacity unless you see manure up to the fill port (in that case, assume 100%). If the spreader capacity is measured in bushels, assume 1 bushel equals 1.25 cubic feet. A cubic foot can vary in weight depending on the density of the manure. There are 7.5 gallons in a cubic foot so the density of the manure (in lbs per cubic foot) can be determined by weighing a 5-gallon bucket filled with manure and multiplying the weight by 1.5.

Method 4: Flow Meters
Flow meters are increasingly being used to set and record liquid manure application rates. Flow meters can be installed on the manure application equipment itself (draghose systems, tank spreaders) and/or for hose systems on the pump at the manure source. Installation of two flow meters in draghose systems (at the pump and on the applicator in the field) has the benefits of providing an additional check on system operation and verifying that each flow meter is functioning correctly. Calibration of meters (flow per minute) can be done by recording time during emptying a known volume or mass of manure. Meter accuracy can also be confirmed using the manufacture prescribed verification process to check measured outputs against the original calibration certificate. If any parameter is out of the labeled range, the meter must be returned to the supplier for repair/re-calibration. Some companies offer on-line tools that may help convert gallon per min rates to gallon per acre rates targeted in nutrient management plans.

In Summary
Spreader calibration is key for management of manure nutrients. Calibration is requirement for Concentrated Animal Feeding Operations (CAFOs) and other farms following the Natural Resources Conservation Service (NRCS) Practice Standard 590. Here four calibration methods are presented.

Additional Resources
- Martin, J., and D. Beegle (2014). Manure Spreader Calibration. Agronomy Facts 68. Penn State Extension. https://extension.psu.edu/manure-spreader-calibration.
- Know How Much You Haul! Nutrient and Pest Management Program. University of Wisconsin, Madison. https://lpelc.org/wp-content/uploads/2019/03/Section-7-Manure-Spreader-Calibration.pdf.

Disclaimer
This fact sheet reflects the current (and past) authors' best effort to interpret a complex body of scientific research, and to translate this into practical management options. Following the guidance provided in this fact sheet does not assure compliance with any applicable law, rule, regulation or standard, or the achievement of discharge levels from agricultural land.

For more information
Cornell University
Cooperative Extension
Nutrient Management Spear Program
http://nmsp.cals.cornell.edu
Mike Contessa (CVA), Scott Potter (DSS), Greg Albrecht, Brendan Jordan, and Ron Bush (all NYSAGM), Joe Lawrence (PRODAIRY), Dale Gates (NRCS), Sara Latessa (NYSDEC), Shawn Bossard (CUAES), Kirsten Workman, and Quirine Ketterings
2021 (originally released in 2007 with co-authorship by Kristin Bossard)

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Thank You!

Molly Trembley, P.E.
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