

Title 26

DEPARTMENT OF ENVIRONMENT

Subtitle 04 REGULATION OF WATER SUPPLY, SEWAGE DISPOSAL, SOLID WASTE, AND RECYCLABLE MATERIALS

26.04.13 Food Residuals — Organics Recycling and Waste Diversion

*Authority: Environment Article, §§1-101, 9-201, 9-1701, 9-1702, and
9-1724.1, Annotated Code of Maryland*

Notice of Final Action

[22-184-F]

On December 6, 2022, the Secretary of the Environment adopted new Regulations .01—.05 under a new chapter, **COMAR 26.04.13 Food Residuals — Organics Recycling and Waste Diversion**. This action, which was proposed for adoption in 49:20 Md. R. 923—927 (September 23, 2022), has been adopted with the nonsubstantive changes shown below.

Effective Date: December 26, 2022.

Attorney General's Certification

Regulation .03E(1): In response to comments received, to clarify that the types of documentation the Department may request from a person subject to the food residuals diversion requirements of the regulation include, in addition to the specific items identified, any other information the Department deems necessary.

.03 Food Residuals Diversion Requirement.

A.—D. (proposed text unchanged)

E. Documentation.

(1) In order to administer and enforce the food residuals diversion requirements of this regulation, the Department may request that a person subject to the food residuals diversion requirements under §B of this regulation provide documentation of:

(a) (proposed text unchanged)

(b) Any correspondence between the person and an organics recycling facility located within a 30-mile radius of the person demonstrating the organics recycling facility's willingness to accept all of the person's food residuals or enter into a contract to accept and process all of the person's food residuals; [[and]]

(c) Any correspondence from an organics recycling facility located within a 30-mile radius of the person that the organics recycling facility is unable or unwilling to enter a contract with a person and accept and process all of the person's food residuals[.]; and

(d) Any other information the Department deems necessary.

(2) (proposed text unchanged)

HORACIO TABLADA
Secretary of the Environment