



Maryland

Department of the Environment

Wes Moore, Governor
Aruna Miller, Lt. Governor

Serena McIlwain, Secretary
Suzanne E. Dorsey, Deputy Secretary

Dear Food Diversion in Maryland Stakeholders,

The Maryland Department of the Environment (MDE) would like to remind all stakeholders subject to Maryland's new food diversion law, as of Jan 1st, 2023, that the requirement to divert food residuals from disposal in a refuse disposal system begins on April 1, 2023. [COMAR 26.04.13.03\(B\)\(2\)](#) (the regulation) states "A person shall begin diverting their food residuals from final disposal in a refuse disposal system not later than 90 days after the person meets the criteria under §B(1) of this regulation." Criteria to determine if you fall under the scope of the law can be found on MDE's [Solid Waste Management - Organics Recycling and Waste Diversion - Food Residuals](#) webpage.

A reminder that if you believe a facility qualifies for a waiver from the food residual diversion regulations, a waiver request must be filed with MDE. The application for a waiver, including instructions on completing the application, can be found [HERE](#).

If you have any questions about the regulations and/or waiver, or any other topic on food residual diversion in Maryland, you can visit MDE's [Solid Waste Management - Organics Recycling and Waste Diversion - Food Residuals](#) webpage, or contact Tim Kerr or Shannon McDonald at MDE's Waste Diversion Division for assistance.

Thank you.

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