RFI

Solid Waste Management
City of Philadelphia

Submitted by:
Bennett Compost
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1. **Executive Summary**

Bennett Compost, Inc. is excited to provide the following information to the City of Philadelphia to better understand how to increase waste diversion through composting. We have included information about our current and future capacity to compost food scraps, examples of what has been done successfully in other places and outside research on why working with local providers is the key to maximizing benefits for the city of Philadelphia. We encourage additional dialogue if there are any questions.

2. **Proposal Introduction - Bennett Compost**

Bennett Compost, Inc. has been collecting and processing food scraps for composting in Philadelphia since 2009. We are based in the Lawncrest neighborhood of Philadelphia and employ 30 full time employees with access to medical,dental and vision insurance, short and long term disability, life insurance, retirement plans with company match and paid time off. We provide residential and commercial collection of food scraps, and other compostable material, from 6300+ Philadelphia households and 125+ Philadelphia businesses every week. We operate the largest curbside composting program in the commonwealth of Pennsylvania.

We operate two fully permitted small scale composting facilities located in the city of Philadelphia; one in conjunction with Philadelphia Department of Parks and Recreation in the Lawncrest neighborhood of Philadelphia, and one in conjunction with the Philadelphia Department of Prisons in the Holmesburg neighborhood of Philadelphia. Four of our staff are certified compost operators through the United States Composting Council certification program or the 131 Compost School certification program.

We produce and sell compost and other soil products to Philadelphia farmers, home gardeners and community gardens. Our soil products are used and trusted by organizations like the Pennsylvania Horticultural Society and Weavers Way Co-op.

3. **Proposal Body**

Section 3: The key to reducing the amount of waste that the city sends to landfills or incinerators is to remove the compostable material from the regular waste stream. According to a report from the National Resource Defense Council and the Institute for Local Self Reliance, composting “diverts organic material from landfills and incinerators, thereby reducing emissions of GHGs—particularly methane, which has 80 times more planet warming potential than carbon dioxide in the first 20 years after it is emitted. Significant amounts of methane are produced when organic material breaks down anaerobically (without oxygen) in landfills; composting, on the other hand, is an aerobic (with oxygen) process that minimizes methane production. Composting instead of landfilling or incinerating can also reduce disposal costs and, ultimately, the need for expansion or construction of new landfills and incinerators. Thus, composting can lessen the harmful public health impacts of these disposal facilities, which are disproportionately sited in low-income communities and communities of color.” The complete report including

model ordinances for municipalities to adopt ordinances around composting food waste is included in *Appendix A: Institute for Local Self Reliance Resources.* While city-wide curbside composting is not feasible at this moment, there are a number of pilot public-private partnership drop-off and curbside programs that are ready to be implemented and would move the city closer to a city-wide curbside composting program. The drop-off pilot programs include free public drop-offs at farmers markets, houses of worship, city facilities (including sanitation convenience centers and recreation centers), and neighborhood commercial corridor partners. The curbside collection pilot programs include both partially subsidized programs (requiring some costs to be paid by residents) and fully subsidized programs. A summary of both the pilot drop-off and collection programs is included in *Appendix B: Organic Pilot Programs.*

3.3.1 Nascent Provider (Bennett Compost) Capacity: To assist the City in gauging capacity of providers to address its future waste reduction and diversion goals and inform planning, the City seeks the following information from small providers:

1. Current daily/weekly tonnage processing capacity - *Bennett Compost has current weekly processing capacity of 20 tons of food waste per week.*
2. Fleet size, composition, and service area coverage - *Bennett Compost currently has a collection fleet of 15 vehicles consisting of 16 foot Isuzu NPRs, fullsize vans, pickup trucks and electric bicycles. Bennett Compost currently collects from the entire city of Philadelphia.*
3. Current waste diversion rate from landfills (percentage and tonnage by material type); Contamination rates in recycling streams - *Bennett Compost currently diverts 40 tons of food waste per week from landfills. This constitutes >99% of the total material that it collects. The remaining <1% is contamination from its food waste collection and is sent to landfills.*
4. Processing facility capacity and capabilities (Materials Recovery Facility, composting, specialty streams) - *Bennett Compost currently operates two fully permitted composting facilities permitted to process 1,000 tons/year of food waste. Additionally, Bennett Compost currently has relationships with other permitted composting facilities in the Philadelphia area to process an additional 4,000 tons/year of food waste.*
5. Storage capacity for different waste streams - *N/A*
6. Key partnerships with downstream processors and end markets - *Bennett Compost has consistently sold all of the compost that it has produced and is actively looking to expand its ability to make more compost to meet unmet demand. Bennett Compost has partnerships with additional permitted processing facilities to process additional material as needed.*
7. Projected capacity increases over 1, 3, and 5 years (percentage and tonnage); *Our projected capacity increases over the next:*
    a. *1 year - Increased capacity 500 tons/year (10%) from current capacity*
    b. *3 year - Increased capacity 1,800 tons/year (36%) from current capacity*
    c. *5 year - Increased capacity 6,300 tons/year (126%) from current capacity*
8. Access to financing for expansion (credit facilities, investor backing) - *We have a general credit line with PNC Bank as well as multiple relationships with banks for equipment financing.*

9. Bonding capacity and insurance coverage levels - *We currently have multiple contracts with the City of Philadelphia and hold required insurance coverages. See **Appendix D: Sample Certificate of Insurance** for details regarding our current insurance coverage levels. We have the ability to increase our coverage as necessary.*
10. Data collection and reporting capabilities; and Customer education and community engagement capabilities - *We use a robust collection and reporting software system that allows us to track data per stop,aggregate volume and weight collected, contamination data and success rates. We provide both volume and weight reports to the city of Philadelphia through our existing contracts as well as to dozens of other commercial customers.*

3.3.2. Roadblocks and Barriers to Nascent Provider Capacity: Describe your experience with roadblocks and barriers to expanded service delivery for smaller/nascent providers. Examples include, but are not limited to:

1. Infrastructure constraints, inability to expand, and/or collection reforms - *Composting infrastructure within the city of Philadelphia is extremely limited. In order for more composting to occur, more small-scale facilities (like the city owned facilities at Parks & Recreation and Department of Prisons) need to be built and permitted. Because many nascent providers cannot do this on their own, the City should look to the public-private models used at Parks & Recreation and the Department of Prisons. Additionally, the city should work with the existing operator (Bennett Compost) of these two sites to develop on-site training programs to expand the field of qualified LOCAL compost operators to ensure that future sites have multiple options for local operators. The city could also look at setting up "organics only" options at existing transfer facilities so that local haulers could bring smaller amounts of materials that could be aggregated and sent to larger compost facilities in the region. Bennett Compost has had much success under the current model but more opportunities are needed if the city wants to grow its ability to compost organic material and diversify its pool of qualified, local providers.*
2. Needed inter-departmental and/or inter-governmental collaborations - *Most of the work that Bennett Compost has done with the City has been department specific. Oftentimes other departments have no idea what other departments are planning regarding waste. On multiple occasions in the five years when we have worked with the City of Philadelphia, Bennett Compost has been the one who has communicated with one department about what its plans for working with other departments are before they were communicated to the other departments. Additionally, there is no point person or master plan (as far as we understand) regarding the city's plan to collect and manage organics separately. This limits cross-department collaboration and creates a vacuum within the city, one that is often filled by individual departments acting with good intentions but lacking the resources to implement broader, larger scale initiatives.*
3. Programs, incentives, and policies to encourage the development of smaller and non-traditional providers. *Development of organic pilot programs that work with local businesses (see examples in Appendix B: Organic Pilot Programs) would provide smaller and non-traditional providers with opportunities to help expand the city's waste diversion efforts. Purchasing commitments of finished soil products for city projects could*

help incentivize smaller providers to develop private facilities. Training contracts at existing organics facilities to help develop additional operators in the region would assist with the development of smaller and non-traditional providers.

3.3.3 General Information on Zero Waste Strategies: Please share information and long-term strategies and/or holistic approaches for the City to nearly eliminate waste sent to landfills and incinerators. Sharing knowledge of practices or programs in other jurisdictions is also encouraged. Please cite resources and studies where possible. Strategies of interest include:

I. Residential curbside compost pick-up - *Municipalities including Washington, DC (Food Waste Collection program | zerowaste) and Boston (Curbside Food Waste Collection | Boston.gov) have launched residential curbside compost programs as public-private partnerships with local composting companies. Lower Merion Township (adjacent to Philadelphia) is in the RFP process of launching a similar pilot program with local composting companies. These programs are opt-in and free to residents. The services are provided by local composting companies and paid for by the municipalities.*

II. Infrastructure needs to support innovation - *Upgrading the City of Philadelphia's Organic Recycling Center to accept food scraps, and allowing private companies to tip for a fee would support the development of nascent food scrap collection businesses who don't have the ability to win municipal contracts or build their own facilities.*

III. Public/private partnerships - *Philadelphia has already launched public/private partnerships to compost at Parks & Recreation and Prisons. Additional opportunities exist to develop facilities at places like the Water Department and the Philadelphia Airport to increase the ability of the city to compost food scraps locally. The city also has the ability to fund partnerships between community organizations/commercial corridor organizations and composting businesses (like the pilot that Bennett Compost did with the New Kensington Community Development Corporation - see Appendix C: Bennett Compost - NKCDC Pilot Program). These small scale pilot programs are low cost and effective ways to identify the best ways to engage residents in a diversity of neighborhoods through trusted, community-based partners.*

Section 4: Other

3.4.1 Please use this section to include information or recommendations that have not been addressed elsewhere in your response. Respondents are also encouraged to present any options or approaches that may not have been prompted by the questions proposed in this RFI. *Staffed community drop-off programs for food scraps have been a tried and true method for starting organics programs and building awareness amongst residents. These programs have existed for years in places like New York City, Boston and Washington, DC and were the first steps in each of these cities to the later curbside programs that were developed. These types of programs often require knowledge of the local communities in ways that make them perfect for local and nascent providers to grow their capacity and are less tailored for large multinational corporations. We have attached information from the Institute for*

Local Self Reliance on the multitude of benefits of working with local, community composters as opposed to the large multinational corporations that dominate the waste industry in the US (see Appendix A: Institute for Local Self Reliance Resources). You can also find more information regarding these issues here: [Transforming Your Community's Waste to Wealth: Infographics - Institute for Local Self-Reliance]

Appendix A: Institute for Local Self Reliance Resources
Appendix B: Organics Pilot Programs
Appendix C: Bennett Compost - NKCDC Pilot Program
Appendix D: Sample Certificate of Insurance

Appendix A1

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MODEL MUNICIPAL ORDINANCE ON ADVANCING COMMUNITY COMPOSTING

BACKGROUND MEMORANDUM

INTRODUCTION

The Model Municipal Ordinance on Advancing Community Composting ("Model") is a template ordinance that can be adapted and enacted by a municipality to remove unreasonable regulatory barriers to community composting and provide opportunities to advance community composting.[1] For purposes of the Model, *community composting* refers to an approach to composting that occupies a smaller area and processes substantially less organic material than industrial composting, sources organic material locally, typically engages the community in the composting process, and distributes or uses most or all of the compost locally. While composting of all sizes and types is beneficial, the comparatively small size and local focus of community composting offer additional community benefits.

The Natural Resources Defense Council (NRDC), the Environmental Law Institute (ELI), and the Institute for Local Self-Reliance (ILSR) developed the Model as a resource for local government officials, municipal staff, and stakeholders (including community members and community-based organizations) seeking to encourage the recycling of organic material. The Model is a companion to a separate model municipal zoning ordinance on community composting, and both models are part of a broader, ongoing effort to provide municipalities and advocates with tools to reduce the time and cost associated with taking action to reduce food waste.[2]

A diverse and distributed composting landscape is needed to meet the increasing demand for organics recycling. Yet small and midsize community operations are too often overlooked. Community composting of source-separated organic material offers valuable social, economic, and environmental benefits; contributes to a more diversified and resilient organics recycling infrastructure; and helps promote healthy communities, economies, and environments.[3] Accordingly, the Model is intended to advance community composting in addition to, rather than at the expense of, other types and sizes of composting.

HOW TO USE THE MODEL

The Model is presented as an ordinance to be passed by a city council (or other appropriate legislative body) as an amendment to the municipal code. It may also be used by counties and other forms of local government that have regulatory authority over the subject matter covered by the Model.

The Model can be tailored to accommodate local circumstances and drafting norms. The municipality should also carefully consider the legal and policy context at both the state and local levels. The Model can be adopted either as a new, unified set of provisions on community composting or in a more piecemeal manner to amend multiple existing sections of the municipal code.[4]

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The "off-the-shelf" version of the Model (without commentaries) provides clean, streamlined language that can be enacted by a municipality. The "with commentaries" version of the Model includes extensive footnotes that offer additional context and background, address the benefits of key provisions and alternative approaches, and provide examples.

The Model, together with this background memorandum and the accompanying slide presentation, is intended to help mitigate the substantial transaction costs (including administrative costs) associated with researching, drafting, and enacting new community composting measures.

BACKGROUND ON FOOD WASTE AND COMMUNITY COMPOSTING

Food Waste Overview

More than 30 percent of all food in the United States goes uneaten, at enormous financial, environmental, and social cost.[5] Annually, the food wasted across the supply chain equates to roughly 1.4 percent of U.S. gross domestic product and is responsible for 4 percent of all U.S. greenhouse gas (GHG) emissions.[6] What's more, when food is wasted, all of the resources used to grow, harvest, transport, store, and prepare it are wasted as well. For example, food waste accounts for 16 percent of all freshwater use and 16 percent of all cropland use in the United States.[7]

Composting is one of several key strategies to reduce the negative impacts of food waste, thus helping municipalities meet their climate and waste reduction goals while achieving various other co-benefits. This is illustrated by the U.S. Environmental Protection Agency's (EPA's) Wasted Food Scale, which ranks the priority pathways for prevention and diversion of food waste based on environmental impacts.[8] Although the most preferred strategies are to prevent food from being wasted or to redistribute or repurpose surplus food, composting is an important complement to other food waste reduction strategies. Additionally, composting is especially useful for inedible food scraps such as banana peels, corncobs, and coffee grounds.[9]

Composting Overview

Composting is the process of recycling organic material (such as yard trimmings and food scraps) through controlled aerobic decomposition into a valuable soil amendment known as compost—a dark, crumbly, earthy-smelling, and biologically stable organic material that can be used to enrich soil and improve plant growth. By providing an ideal environment for bacteria, fungi, and other organisms essential to the process, composting speeds up the natural decomposition of organic matter.[10]

Composting activities are undertaken across a spectrum of sites and operational sizes, from backyard composting to community composting to large industrial facilities.[11] Although community composting can take a variety of forms, it is generally more limited in size than industrial composting and, for purposes of the Model, does not include on-farm composting (except in the context of urban farms and community gardens). Community composting is also distinct from backyard or home composting, where the organic material is processed on-site in a residential setting and the compost is typically used at the same location.

Bene ts of Composting and Compost Use

Composting and compost use offer myriad social, economic, and environmental benefits. Composting diverts organic material from landfills and incinerators, thereby reducing emissions of GHGs—particularly methane, which has 80 times more planet-warming potential than carbon dioxide in the first 20 years after it is emitted.[12] Significant amounts of methane are produced when organic material breaks down anaerobically (without oxygen) in landfills; composting, on the other hand, is an aerobic (with oxygen) process that minimizes methane production.[13] Composting instead of landfilling or incinerating can also reduce disposal costs and, ultimately, the need for expansion or construction of new landfills and incinerators.[14] Thus, composting can lessen the harmful public health impacts of these disposal facilities, which are disproportionately sited in low-income communities and communities of color.[15] The composting industry also sustains more jobs than landfilling or incineration on a per-ton basis.[16]

Additionally, applying compost to soil can decrease the need for chemical fertilizers and pesticides, which are costly, are energy intensive to produce, and contribute to water pollution.[17] Further, compost helps soil retain moisture, which in turn helps prevent erosion, reduce stormwater runoff, lower irrigation costs, and conserve water resources.[18] Compost also boosts the capacity of soil to hold nutrients and sequester carbon, and it can degrade specific pollutants; it may also control certain soil-borne plant pathogens.[19]

Bene ts of Community Composting

Community composting operations are designed to meet local needs, serve local interests, and engage the community in a variety of ways. These may include providing job training and local jobs, education on food systems and sustainability, local green space for community members to enjoy, and a low-cost soil amendment for community members to use to improve soil health.[20] By keeping the process and the product (i.e., compost) local, community composters help to keep the many benefits of composting local as well.[21]

Community composting can also be particularly efficient in terms of conserving time, money, energy, and other resources. Operations can be set up fairly quickly, in part because they are relatively inexpensive and low tech.[22] Community composters usually do not have to haul feedstocks or compost across long distances, use heavy-duty vehicles, or stockpile organic material at transfer stations, thus minimizing transportation-related energy usage and associated emissions of a range of pollutants.[23] Also, community composters are selective about the materials and quantities they accept, which facilitates quality control.[24] Finally, community composters use or distribute compost locally, which keeps distribution costs comparatively low.[25]

Community composting can be particularly valuable to environmental justice communities.[26] In addition to providing the social, economic, and environmental benefits outlined above, for example, community composting can fill service access gaps. Furthermore, compost produced by a community composting operation can be used to immobilize contaminants in local soil and groundwater and support microbial communities capable of degrading toxic organic compounds in soils.[27] And the green space provided by community composting sites can help reduce urban heat island effects.[28] Moreover, community composting can support community gardens and urban farms, which in turn offer community members access to locally produced, healthy food and enhanced knowledge of and participation in local food systems.[29]

Due to these social, economic, and environmental benefits, ILSR's Hierarchy to Reduce Food Waste and Grow Community considers community composting preferable to centralized and industrial composting.[30]

GOVERNANCE FRAMEWORK FOR COMMUNITY COMPOSTING

Overview of Legal Landscape

Community composting takes place in a legal landscape that can be both complex and opaque.[31] A community composting operation can involve various activities and potential impacts that are subject to regulatory requirements.[32] For several reasons, identifying and complying with all applicable legal requirements can be a challenge.

First, *laws vary*. Therefore, the extent to which the activities or impacts of a community composting operation may trigger regulatory requirements will vary from state to state and locality to locality. Second, *community composting operations vary*. Operations can differ in myriad ways: location, size, system used, and feedstock categories, among others.[33] Even within the same municipality, one community composting operation may be subject to a regulatory requirement that does not apply to a nearby operation. Third, *laws can be ill fitting*. Some laws that apply to a community composting operation likely were not passed with community composting in mind, which can make them a poor fit for community composting. Fourth, *laws have exceptions*. Even where a law appears to apply, the law may be written so as to limit its reach.

There is no uniform legal playbook for community composters—or for municipalities looking to advance community composting. However, there *are* many common state and local regulatory considerations that apply to community composting.[34] These are briefly reviewed below.

State Regulatory Framework

Community composting is inherently local in nature, and the Model accordingly focuses on the steps that a municipality can take to advance community composting. However, local regulation occurs against an important backdrop of state-level laws, and sometimes one or more aspects of a community composting operation are subject to state regulation.[35] Also, in certain instances, state requirements are actually implementing a minimum requirement that is imposed by federal law.[36] To provide context on this broader regulatory landscape, key state regulatory areas are introduced below.

Solid Waste Management

The term *solid waste* may be broadly defined with respect to both type of material and source.[37] Municipal solid waste (MSW)—including waste destined for disposal, better known as trash or garbage, as well as any separated recyclable or compostable materials—forms a significant part of a state's solid waste stream and may include discards from homes, schools, hospitals, and businesses.[38] Food waste, in turn, can account for nearly a quarter of landfilled MSW.[39]

Every state has legislated requirements that govern the management of MSW.[40] In many instances, state legislation and regulations specifically provide for the regulation of composting facilities.[41] The U.S. Composting Council and the Sustainable Economies Law Center have each compiled extensive inventories of state-specific laws and regulations applicable to composting operations.[42] However, because of the nationwide variation among state solid waste management programs—including differences in how these programs treat composting facilities and operations, even insofar as to whether composting is considered solid waste management—the applicable regulatory requirements, including any facility permitting requirements, may or may not apply to *community* composting operations. Where state law does apply, the operation must comply with the law's regulatory requirements, which may include the need to obtain a permit for solid waste management or a composting facility permit.[43]

Common reasons why a state-level solid waste (or composting) requirement may not apply to a particular community composting operation, or why such an operation may be subject to a lower level of regulation, include the following:[44]

- The operation is limited to on-site composting of materials generated on the property;[45]
- The operation receives compostable materials and generates compost for use solely on-site;[46]
- The operation composts only feedstocks that correspond to a low level of regulatory concern;[47]
- The operation receives or processes feedstock below a specified threshold amount during a specified time period;[48] or
- A combination of factors.[49]

Helpfully, some states have provided for community composting sites a carve-out from solid waste permitting requirements.[50]

Additionally, solid waste management legislation may regulate transfer stations. These are sites where solid wastes are concentrated and ultimately transferred to larger vehicles for transport to a processing facility or land disposal site.[51] Though EPA's characterization of transfer stations differs substantially from the containers and drop-off points typically used by community composters to consolidate feedstock, some state law definitions of transfer stations (or facilities) may be broad enough to cover compost drop-off locations, making them subject to regulation.[52]

Water and Air Resources

When a community composting operation is subject to regulation under a state solid waste law, this may include legal requirements to avoid impacts to water and air resources.[53] Additionally, because rain and snowmelt can wash pollutants from land into storm drains and, eventually, surface waters, certain activities may require the issuance of stormwater permits.[54] Community composting operations can potentially be subject to stormwater construction permits or stormwater industrial permits, though such operations will not always meet the eligibility requirements that trigger the need for a permit.[55]

Floodplains may be protected under both state and local law, and any development or construction in flood-prone areas may subject that activity to regulatory requirements—potentially including one or more permits.[56] Floodplain-related requirements encountered by community composters may involve either not building or operating in the 100-year floodplain, or doing so in a manner that does not alter the flow of floodwaters.[57]

It is also possible, though less common, that a community composting site would need to obtain an air emissions permit for construction or operations (such as for the use of a diesel-powered grinder).[58] Another possibility is that an operation may need to register with the relevant air regulatory authority.[59]

Nuisance Impacts from Pests and Odors

Rats and mice are the most common pests associated with food waste.[60] Well-managed community composting operations can avoid these rodents and other vectors, as well as odors, through the use of best management practices.[61] It should be noted, too, that the food waste already in the typical neighborhood dumpster or trash is at least as attractive a target for rodents.[62]

Regardless, vectors and odors remain a key regulatory concern for community composters. This concern may be covered by state nuisance law. A nuisance can be "private," affecting one or more neighbors; or "public," implicating the broader community.[63] The disturbance of someone's enjoyment of their property typically becomes an actionable nuisance when the interference is substantial and unreasonable and would offend or inconvenience a normal person.[64] Noxious odors can form the basis of a nuisance claim, as can infestations by rodents and other vectors .[65] Additionally, when a composting operation is subject to regulation under a state solid waste law, that law will likely also include specific requirements to prevent nuisances caused by odors or by vectors like rodents.[66]

Distribution and Sale of Compost and Procurement of Compost and Composting Services

Some states regulate aspects of the distribution and sale of compost. Such regulation can include, for example, requirements pertaining to registration, testing, inspection, labeling, and recordkeeping.[67] State regulation is not always related to the *sale* of compost and may cover other forms of public distribution.

In addition, although many municipalities have legislated their own detailed procurement codes, municipalities must typically also comply with state procurement legislation.[68] Thus, municipal purchases of compost or composting services, as well as any municipally enacted preferences in this regard, may be subject to state law requirements.

Local Regulatory Requirements

A community composting operation must also comply with applicable municipal law—the focus of the Model. Many municipalities have ordinances and regulations, however, that restrict or effectively ban community composting by imposing a regulatory burden that is unintended, unnecessary, or disproportionate to the expected benefits of applying the legal requirement. Furthermore, ordinances that impose detailed regulatory requirements can be unnecessarily prescriptive for

a community composting operation.[69] In contrast, ordinances that establish performance-based standards but do not impose restrictions on the precise way to meet those standards can encourage innovation and account for the specific characteristics of each composting site.[70] Common local regulatory considerations are summarized below.[71]

Land Use

The siting of a community composting operation implicates municipal zoning. Zoning is not further addressed here—or in the accompanying Model—as this subject is covered by the companion NRDC/ELI Model Municipal Zoning Ordinance and other resources.[72]

Public Health

Local ordinances in many jurisdictions address operational aspects of composting that often pertain to public health and related considerations. Where these ordinances are located in the municipal or county code can vary by jurisdiction. Though these requirements may indeed be enacted as a matter of local public health, they can also sometimes be found in solid waste management provisions or even in the local zoning code.[73] More specifically, these ordinances tend to address the location, use, and maintenance of bins and compost piles; feedstocks; and potential impacts of these operations, typically with respect to vectors and protection of natural resources. These ordinances are usually simple, though some are more detailed and complex.[74] They nearly always contain local nuisance protections that are additional to generally applicable state nuisance law.[75]

An unreasonable burden may arise for community composters when a local ordinance establishes a lower regulatory threshold for nuisances in a composting setting than would be required by generally applicable state law. For example, the mere presence of one or two rodents under certain local ordinances may rise to the level of a public nuisance or citable violation.[76] An unnecessarily low bar for nuisance could result in a scenario in which a local rodent problem attributable to some other common source (such as a dumpster) is incorrectly blamed on a community composting site. A preferred local approach is to require best management practices.[77]

Floodplain Management

Many localities have established floodplain management requirements in the context of composting facilities, sometimes prohibiting them within a 100-year floodplain.[78] Also, as noted above in the context of state regulation, flood insurance is not made available in a community subject to federally identified flood hazards unless the community has adopted adequate floodplain management regulations.[79] Nevertheless, a blanket prohibition on community composting sites in a floodplain may impose an unreasonable burden on community composters.

Municipal Solid Waste Collection

How, if at all, a municipality provides for the collection of organic material can affect—and even constrain—the ability of a community composting operation to collect and transport feedstocks.

As of 2023, more than 13 million U.S. households had access to municipal food waste collection via curbside pick-up, drop-off, or both. Municipally supported collection is provided by local governments directly or by contracted private haulers.[80] Where these arrangements include municipal rules governing exclusive provisions regarding color, type, size, placement, or collection frequency of containers set out to collect organic material through a municipal program, this may present a barrier to those who wish to set out a separate bin for collection by a community composter.[81]

Some municipalities use a franchise zone collection system under which the municipality enters into contracts with one or more solid waste haulers in defined zones or areas. Often exclusive in nature, these franchise zone arrangements can potentially be a barrier to collection activities undertaken by community composters if the agreement contains no clear carve-out to provide access for community composters (regardless of whether or not an exclusive franchisee provides for collection of organic material).[82]

A related consideration is whether the municipality has licensing requirements for solid waste haulers more generally—and if so, whether community composters transporting feedstocks are, or should be, subject to these requirements .[83]

Community Associations and Multifamily Dwellings

A further layer of complexity results from the fact that nearly one-third of the U.S. population lives in housing that is subject to private governance through community associations, which include homeowners' associations (HOAs), condominium communities, and cooperatives.[84] Sometimes these communities choose to limit how or whether compost feedstocks (e.g., yard trim and food scraps) may be stored and collected. Such limitations can be set forth in recorded covenants or restrictions, declaration provisions, or community bylaws or rules. Some states and localities have now legislated checks on the ability of community associations to impose such limitations.[85]

Relatedly, in a rental context, some multifamily dwellings (such as apartment buildings) may have insufficient space for collection containers for organic material and, if there are applicable requirements, may obtain a waiver from having to use them.

Distribution and Sale of Compost and of the Procurement of Compost and Composting Services

Some localities regulate aspects of the sale and distribution of compost. This may include, for example, a mandate to test composted material to be distributed off-site, or a requirement that compost is for private use only, absent city permission, and a disallowance of on-site sales.[86] Additionally, and helpfully for community composters, some localities prioritize locally produced compost in their procurement processes; some municipalities also procure services, such as food scrap collection or management of drop-off sites, through contracts with community composters.[87]

Alignment with Existing Municipal Laws, Policies, Plans, and Programs

A municipality should seek to harmonize the Model with its existing legal and policy framework. Current municipal law may already govern the closely related topics of urban agriculture or community gardens, or any of the myriad activities involved in a community composting operation. Care should be exercised in aligning the Model with any such existing requirements, including relevant legal definitions.

The subject matter covered by the Model may also implicate related municipal policies, plans, and programs addressing subjects such as sustainability and the environment; climate change (including through climate action plans, which may seek to reduce food loss and waste); waste reduction (including through, for instance, waste management plans); public health; and food and nutrition.[88] Thus it can be helpful to identify how support for community composting can further the city's already articulated policy goals with respect to climate, waste reduction, and other priorities.

Ultimately it is important to avoid adopting a community composting ordinance that conflicts with, or introduces ambiguity into, existing law or policy. This may require modifying the Model, making targeted amendments to existing law and policy, or both.

OVERVIEW OF THE MODEL

The Model contains 10 sections, as summarized below.

Sections 1–2: Findings and Declaration of Policy

The findings (Section 1) recognize a range of benefits associated with composting generally and with community composting in particular. The purpose of the Model (Section 2) is to amend the municipal code to remove unreasonable non-zoning regulatory barriers to and provide support for community composting, thereby promoting its local benefits and diverting locally generated organic material from landfills and incinerators. [89]

Section 2 also provides that the Model should be implemented in a fair and equitable manner. Notably, the Urban Sustainability Directors Network has identified four components to equity in policy and decision making: procedural equity, distributional equity, structural equity, and transgenerational equity.[90] Procedural equity is "inclusive, accessible, authentic engagement and representation in processes to develop or implement sustainability programs and policies."[91] Distributional equity requires that "sustainability policies and programs result in fair distribution of benefits and burdens across all segments of a community, prioritizing those with highest need."[92] Structural equity is reached when "sustainability decision makers institutionalize accountability" and "decisions are made with a recognition of the historical, cultural, and institutional dynamics and structures that have routinely advantaged privileged groups in society and resulted in chronic, cumulative disadvantage for subordinated groups."[93] Transgenerational equity requires that "sustainability decisions consider generational impacts and don't result in unfair burdens on future generations."[94]

The Model is designed to be implemented in a way that is consistent with all four components. For example, to advance procedural equity in implementing Sections 5 and 7, a municipality could develop an inclusive, accessible, and authentic approach to engaging a wide range of communities for the purposes of compiling, maintaining, and making accessible the inventory of applicable ordinances and regulations that present unreasonable regulatory barriers to community composting; developing educational campaigns; and providing technical and financial assistance for community composting.[95] Efforts could include setting a goal to engage a certain number of people from a set number of different communities; meeting people where they are, both physically and virtually; and ensuring language access and other accessibility measures.[96]

To advance distributional equity, a municipality could, for example, ensure that any benefits that result from removing unreasonable regulatory barriers to community composting pursuant to Section 5 (such as increased procurement of compost, new job opportunities for compost haulers, or more productive use of floodplains) are distributed first to communities with the greatest need. Likewise, it could ensure that benefits from advancing community composting pursuant to Section 7 (such as providing educational materials and financial or technical assistance) are distributed in the same equitable manner. [97]

A municipality can further structural equity by partnering with trusted organizations—community-based groups that have an established, strong, and positive relationship with the community, such as faith-based organizations and institutions of higher learning—in conducting community engagement and in developing and distributing technical assistance and other benefits.[98]

Finally, by supporting the long-term viability of community composting operations and their attendant benefits for future generations, a municipality can advance transgenerational equity, including by collaborating with local community composters to bring educational initiatives to elementary and secondary school students.

Section 3: De nitions

The Model defines *community composting* and *community composting operation* on the basis of several key characteristics. Given the wide variation in community composting approaches from one locality to the next, the definition is left intentionally flexible and largely nonprescriptive. The Model defines an *unreasonable regulatory barrier to community composting* as a non-zoning regulatory requirement that has unintended negative impacts, is unnecessary, or is disproportionate to the expected benefit of applying the requirement. Other defined terms are *compost*, *composting*, *hauler*, and *organic material* (i.e., composting feedstock).

Section 4: Goals

This section requires establishing an annual, measurable goal for supporting community composting operations and tracking progress toward it.

Section 5: Identi cation of Municipal Laws and Reduction of Municipal Regulatory Barriers

This section provides for the identification of relevant municipal laws and the reduction or elimination of unreasonable barriers to community composting resulting from the application of these laws.

Section 6: Identi cation of State Laws

This section provides for the identification of relevant state-level laws, as well as the determination of whether any identified state-level law or regulation presents an unreasonable barrier to community composting within the Municipality.

Section 7: Opportunities to Advance Community Composting

This section first provides ways municipalities can support community composting efforts by pursuing opportunities to promote public awareness and education around composting. For example, municipalities may partner with local organizations to lead awareness and education campaigns about the benefits of composting.

This section next provides that municipalities assess opportunities to support community composting through technical assistance that reflects best practices for site setup and operation. For example, municipal staff or a contracted third party can advise community composters on measures to discourage rodents. Municipalities can also provide certification courses or written materials on effectively managing the composting process.

Last, this section provides that the municipality will consider ways to support community composting operations financially.[99] For example, municipalities can offer grant opportunities or provide in-kind contributions such as access to municipal land for hosting community composting operations.

Section 8: Reporting

This section requires that an annual progress report be prepared and made publicly available. Data gathering and reporting help decision makers identify issues, evaluate the effectiveness of solutions, establish objective benchmarks for measuring progress, and foster transparency and accountability.[100]

Sections 9–10: Severability and E ective Date

This section provides that if a court were to find one or more provisions of the Model unlawful, the remainder of the ordinance would stand. This section also provides for an effective date.

METHODOLOGY

ELI conducted the following steps, each with input from and consultation with NRDC and ILSR.

Policy and Literature Review

ELI reviewed relevant legal and academic research, state laws and regulations, municipal ordinances, and nonbinding policy resources (such as plans, reports, and program descriptions) to glean best practices and language that could analogously or directly apply to a community composting ordinance. ELI's review does not purport to be exhaustive, particularly as a variety of policies to reduce food waste are being rapidly introduced around the country. Nevertheless, the laws and ordinances used to inform the Model come from a diverse array of jurisdictions ranging broadly in size, geographic location, and political dynamics.

Qualitative Interviews

Interviews with legal experts, community composters, and food waste reduction specialists provided further background and context, yielded insights into efficient and effective approaches to advancing community composting, and helped assess the relative merits of existing policies, programs, and resources.

Best Practices Research

On the basis of its review of existing laws and policies, its literature review, and interviews, ELI identified the best practices that would inform the Model's language. The version of the Model with commentaries provides details on suggested components as well as alternative approaches to key provisions that may better suit a given municipality while maintaining the integrity of the Model.

Model Ordinance Language Development

ELI drafted model language and accompanying commentaries based on its research and identification of best practices as well as a review of language from relevant ordinances.

Expert Review

Several experts in food waste reduction, composting and community composting, and environmental law reviewed and provided feedback on the model language, commentaries, and this memorandum. In some cases, changes were made to reflect this expert input.

Endnotes

1 Darby Hoover et al., "Model Municipal Ordinance on Advancing Community Composting: With and Without Commentaries," NRDC, Environmental Law Institute (ELI), and Institute for Local Self-Reliance (ILSR), June 2025, https://www.nrdc.org/resources/model-municipal-ordinance-advancing-community-composting-and-without-commentaries.

2 Darby Hoover et al., "Model Municipal Zoning Ordinance on Community Composting: With and Without Commentaries," NRDC and ELI, June 17, 2024, https://www.nrdc.org/resources/model-municipal-zoning-ordinance-community-composting-and-without-commentaries; Darby Hoover, "Municipal Model Policies on Food Waste Reduction," NRDC, October 30, 2024, https://www.nrdc.org/resources/municipal-model-policies-food-waste-reduction.

3 For more information on the importance of diverse organics recycling infrastructure, see, e.g., Brenda Platt, "Hierarchy to Reduce Food Waste and Grow Community," Institute for Local Self-Reliance (ILSR), April 4, 2017, https://ilsr.org/articles/food-waste-hierarchy/.

4 A unified approach is appealing, as it potentially allows the municipality to place community composting within a new and more accurate frame of sustainable materials management rather than within the increasingly outdated frame of waste management.

5 ReFED, *From Surplus to Solutions: 2025 ReFED U.S. Food Waste Report*, February 25, 2025, https://refed.org/downloads/2025-refed-u-s-food-waste-report/.

6 Ibid.

7 Ibid.

8 U.S. Environmental Protection Agency (EPA), "Wasted Food Scale," last updated September 27, 2024, https://www.epa.gov/sustainable-management-food/wasted-food-scale.

9 Darby Hoover, "Compost Is a Climate Solution," NRDC, December 5, 2023, https://www.nrdc.org/bio/darby-hoover/compost-climate-solution.

10 Shelia Hu, "Composting 101," NRDC, July 20, 2020, https://www.nrdc.org/stories/composting-101.

11 Ibid.

12 Jeff Turrentine, "The Natural Gas Industry Has a Methane Problem," NRDC, June 7, 2019, https://www.nrdc.org/stories/natural-gas-industry-has-methane-problem. See also Max Krause et al., *Quantifying Methane Emissions from Landfilled Food Waste*, EPA, October 2023, https://www.epa.gov/land-research/quantifying-methane-emissions-landfilled-food-waste (noting that wasted food, which represents 24 percent of landfilled waste on average, is responsible for 58 percent of landfills' fugitive methane emissions).

13 Krause et al., *Quantifying Methane Emissions*.

14 Hu, "Composting 101."

15 Ana Isabel Baptista et al., *U.S. Municipal Solid Waste Incinerators: An Industry in Decline*, Tishman Environment and Design Center, May 2019, https://grist.org/wp-content/uploads/2020/07/1ad71-cr_gaiareportfinal_05.21.pdf; Robert D. Bullard et al., *Toxic Wastes and Race at Twenty*, 1987–2007, United Church of Christ Justice & Witness Ministries, March 2007, https://www.ucc.org/wp-content/uploads/2021/03/toxic-wastes-and-race-at-twenty-1987-2007.pdf; Linda Villarosa, "Pollution Is Killing Black Americans. This Community Fought Back," *New York Times Magazine*, July 28, 2020, https://www.nytimes.com/2020/07/28/magazine/pollution-philadelphia-black-americans.html.

16 Brenda Platt, Nora Goldstein, and Craig Croker, *State of Composting in the US: What, Why, Where, and How*, ILSR, July 2014, https://ilsr.org/wp-content/uploads/2014/07/state-of-composting-in-us.pdf; Brenda Platt, "Composting Makes ene: Jobs Through Composting & Compost Use," ILSR, May 8, 2013, https://ilsr.org/articles/composting-sense-tables/.

17 ILSR, "Benefits of Composting," March 28, 2010, https://ilsr.org/benefits-of-composting/; U.S. Composting Council (USCC), "Benefits of Compost," accessed February 21, 2024, https://www.compostingcouncil.org/general/custom.asp?page=CompostBenefits; EPA, "Nonpoint Source: Agriculture," last updated November 6, 2024, https://www.epa.gov/nps/nonpoint-source-agriculture.

18 USCC, "Benefits of Compost."

19 Ibid.; Baltimore Office of Sustainability, "Baltimore Food Waste & Recovery Strategy," 2018, https://mayor.baltimorecity.gov/sites/default/files/BaltimoreFoodWaste&RecoveryStrategy_Sept2018.pdf; USCC, "USCC Factsheet: Compost and Its Benefits," 2008, https://hrra.org/wp-content/uploads/2020/04/Compost-and-Its-Benefits.pdf.

20 EPA, "Community Composting," last updated September 27, 2024, https://www.epa.gov/sustainable-management-food/community-composting; ILSR, "What Is Community Composting?" accessed February 21, 2025, https://ilsr.org/composting/what-is-community-composting/.

21 For more information on scales of composting and the benefits of small, decentralized facilities, see Platt, "Hierarchy to Reduce Food Waste."

22 Julia Spector and Najee Quashie, "Advocacy Resource: Priority Climate Action Plans Need Community Composting," ILSR, December 5, 2023, https://ilsr.org/pcap/.

23 Sustainable Economies Law Center (SELC), *Draft Policy Guide: Growing Compost: A Policy Guide to Preserving Critical Community Composting in California*, January 22, 2017, https://www.theselc.org/compostdraft; Spector and Quashie, "Advocacy Resource: Priority Climate Action Plans."

24 SELC, *Draft Policy Guide: Growing Compost*; Brenda Platt, Clarissa Libertelli, and Megan Matthews, "A Growing Movement: 2022 Community Composter Census," ILSR, March 22, 2023, 7, https://ilsr.org/articles/composting-2022-census/.

25 Ibid.

26 See Va. Code §2.2-234 ("Environmental justice community" means any low-income community or community of color); see also Morro Bay (CA) Code of Ordinances §17.14.020(F) (defining "environmental justice communities" as "low-income communities, communities of color, and other populations with higher exposure and/or sensitivity to adverse project impacts due to historical marginalization, discriminatory land use practices, and/or less capacity to mitigate adverse impacts"); Arlington (WA) Code of Ordinances §20.08.010 (defining "overburdened community" as "a geographic area where vulnerable populations face combined, multiple environmental harms and health impacts, and includes, but is not limited to, highly impacted communities"). See Section VI of this Memorandum ("Equitable Implementation").

See also Aman Azhar, "Marvin Hayes Is Spreading 'Compost Fever' in Baltimore's Neighborhoods. He Thinks It Might Save the City," *Inside Climate News*, August 20, 2023, https://insideclimatenews.org/news/20082023/baltimore-composting-environmental-justice/.

27 EPA, "Benefits of Using Compost," accessed April 8, 2025, https://www.epa.gov/sustainable-management-food/benefits-using-compost#; see also Azhar, "Marvin Hayes Is Spreading 'Compost Fever.'"

28 Sophia Hosain, "As Heat Islands Worsen in Baltimore, Local Composting Can Relieve Its Effects," ILSR, August 9, 2022, https://ilsr.org/articles/baltimore-heat-islands-cooled-by-composting/.

29 "Urban Agriculture & Community Gardens," University of Wisconsin–Madison Division of Extension, 2022, https://foodsystems.extension.wisc.edu/files/2022/04/MKEGardens_4-4-22-2.pdf.

30 Platt, "Hierarchy to Reduce Food Waste"; ILSR, "What Is Composting?," December 13, 2022, https://ilsr.org/articles/poster-what-is-composting/.

31 See, e.g., SELC, *Community Compost Law & Policy*, accessed November 2024, https://www.theselc.org/compost (observing that the "legal life" of compost is far more complex than one might imagine). SELC, in collaboration with ILSR, has developed and collected many excellent resources on compost law and policy. See SELC and ILSR, *Compost Resources*, accessed March 23, 2025, https://www.compostlaw.org/resources (the legal guide to composting for Alameda County, California, presented as a PowerPoint slide deck, is particularly informative). Additional resources compiled by ILSR may be found at ILSR, *Model Composting Policy Library*, accessed March 23, 2025, https://ilsr.org/composting/policy-library/.

32 Such activities (and their potential impacts) include the siting of the community composting operation; its operational characteristics (such as size, composting configuration or system, and feedstock categories); any potential impacts of the operation on local water and air resources; the creation of odors or attraction of vectors; the collection and transport of feedstocks to the site (from their source or from intermediate points); and the storage, distribution, and sale of compost.

33 See, e.g., Linda Bilsens Brolis and Brenda Platt, *Community Composting Done Right: A Guide to Best Management Practices,* ILSR, March 2019, 5, https://ilsr.org/articles/composting-bmp-guide/.

34 For a detailed examination of how one of the largest jurisdictions, California, regulates small- and medium-scale composting activities, see, e.g., CalRecycle, *Small/Medium Composting Project Permitting* 1–2, pub. no. DRRR-2024-1738, September 10, 2024, https://www2.calrecycle.ca.gov/Publications/Download/1921 ("discuss[ing] the complex permitting and operational challenges that current and future composting activities may encounter and offer[ing] opportunities to clarify and navigate the site permitting requirements and processes").

35 For a recent example of the many ways in which state law can apply to a composting facility, see, e.g., Maryland Department of the Environment, *Permitting Guidance for Maryland Composting Facilities*, September 2022, 3, https://mde.maryland.gov/programs/land/RecyclingandOperationsprogram/Documents/Composting%20Facility%20Permitting%20Guidance.pdf (presenting in table form a detailed list of potential state-level permitting or approval requirements).

36 However, community composters will rarely need to obtain a permit directly from a federal agency, as applicable standards are normally imposed through state and local regulation.

37 See, e.g., Ala. Code §22-27-2(34) (Solid Waste Disposal Act definition of solid waste).

38 See, e.g., EPA, "National Overview: Facts and Figures on Materials, Wastes and Recycling," last updated November 8, 2024, https://www.epa.gov/facts-and-figures-about-materials-waste-and-recycling/national-overview-facts-and-figures-materials.

39 EPA, *Composting—Impacts of Sending Food and Other Organic Materials to Landfills*, last updated October 10, 2024, https://www.epa.gov/sustainable-management-food/composting.

40 State regulation of solid waste must comply with the requirements of the federal Resource Conservation and Recovery Act (RCRA), 42 U.S.C. §6901 et seq., which establishes the framework for a national system of hazardous and nonhazardous solid waste control. RCRA Subtitle D and its accompanying regulations apply to nonhazardous solid waste. Federal authority to regulate solid waste disposal under Subtitle D is considered "limited," as RCRA leaves to state and local government the primary roles in planning, regulating, and implementing the management of nonhazardous solid waste (such as household garbage). See Congressional Research Service, *Environmental Laws: Summaries of Major Statutes Administered by the Environmental Protection Agency*, last updated December 20, 2013, 51–52, https://www.congress.gov/crs-product/RL30798 (summarizing RCRA solid waste management requirements).

41 See Craig Coker, "Compost Facility Planning: Composting Facility Approvals and Permits," *BioCycle*, August 23, 2022, https://www.biocycle.net/composting-facility-approval-permits/ ("All states have regulations now that guide the development, design and operation of solid waste composting facilities, although some are more rigorous than others.").

42 See USCC, *State Regulators and Regulations*, accessed November 2024, https://www.compostingcouncil.org/general/custom.asp?page=StateRegulations; and SELC, *State-by-State Small Compost Facility Permitting Rules*, May 17, 2020, https://static1.squarespace.com/static/5ebdd3df36467a3be075ec5e/t/5ec1ed997e00fb72ee84f1c2/1589767587414/State-by-State+Small+Compost+Facility+Permitting+Rules+-+Sheet1+%281%29.pdf.

43 See, e.g., Code of Md. Regs. §§26-04-11.00 to 26-04-11.9999 (Composting Facilities) (establishing requirements for issuance of a composting facility permit).

44 As noted earlier, whether any particular state-level solid waste or composting requirement applies to a community composting operation depends on the characteristics and size of that operation.

45 See, e.g., Ala. Admin. Code r. 335-13-14.02(6) & r. 335-13-14.03(3)(b) (providing exemption for on-site composting unless used for revenue generation). See also, e.g., Ga. Comp. R. & Regs. r. 391-3-4-.16(2)(e) & (3)(a)(1) (exempting backyard composting, as defined by law, from requirement to obtain a solid waste handling permit). "Backyard composting," which can be defined in different ways depending on the state, is often exempt from regulation.

46 Ala. Admin. Code r. 335-13-14.03(3)(b).

47 See, e.g., Ga. Comp. R. & Regs. r. 391-3-4-.16(3)(a)(2) & (4)(a)(1) (exempting facilities composting only yard trimmings and land-clearing debris, among other "Category A" feedstocks, from requirement to obtain a solid waste handling permit). Community composting operations typically do not process nonorganic feedstock or feedstocks that have a high level of regulatory concern, such as toxic materials, hazardous waste, sewage sludge, and biosolids.

48 See, e.g., Ga. Comp. R. & Regs. r. 391-3-4-.16(5)(b)(1)(i) & (4)(a)(2) (providing that facilities meeting certain criteria, including the receipt of less than 500 tons per month of food residuals and other "Category B" feedstock, may operate under permit-by-rule without obtaining a solid waste handling permit).

49 See, e.g., 250-140-05 R.I. Code R. §§1.5(A)(184) & 8.3 (excluding from registration requirement facilities that meet definition of a "small-scale composting operation," which includes composting 25 cubic yards or less of material at any given time, with feedstocks not including certain kinds of putrescible waste; but such operations must still comply with other regulatory requirements).

50 See, e.g., N.H. Code Admin. R. Env-Sw 608.05 (expressly exempting from state permitting requirement for solid waste facilities community composting facilities that meet stated criteria, including compliance with ILSR best management practices). For details on a number of states with permit exemptions for small composters, see Brenda Platt, "On-Farm Composting Rules and Permit Exemptions," ILSR, June 1, 2016, https://ilsr.org/articles/on-farm-composting/.

51 This definition is contained in the RCRA subtitle D regulations, 40 CFR §243.101(dd).

52 EPA has characterized a waste transfer station as "a light industrial–type facility where trash collection trucks discharge their loads so trash can be compacted and then reloaded into larger vehicles (e.g., trucks, trains, and barges) for shipment to a final disposal site, typically a landfill or waste-to-energy facility." EPA, *Waste Transfer Stations: Involved Citizens Make the Difference*, EPA530-K-01-003, January 2001, 2, https://19january2017snapshot.epa.gov/sites/production/files/2016-03/documents/wtsguide.pdf. See also EPA, *Waste Transfer Stations: A Manual for Decision-Making*, EPA530-R-02-002, June 2002, 2, https://www.epa.gov/sites/default/files/2016-03/documents/r02002.pdf (noting that the "basic purpose" of these stations is "consolidating waste from multiple collection vehicles into larger, high-volume transfer vehicles for more economical shipment to distant disposal sites."). The specifics of state law can vary. See, e.g., N.Y. Comp. Codes R. & Regs. tit. 6, §§360.2(b)(276) & (101) (defining "transfer facility" as a facility that receives solid waste for the purpose of subsequent transfer to another facility for further processing, treatment, transfer, or disposal; "facility" is broadly defined); 362-3.2(c) (exempting a transfer facility that accepts no more than five cubic yards of source-separated organic waste per day and satisfies additional criteria).

53 See, e.g., 250-140-05 R.I. Code R. §8.3(A)(4) (prohibiting small-scale composting operations from causing pollution of groundwater or surface waters, from having a significant adverse effect on wetlands, and from creating dust or litter problems).

54 The federal Clean Water Act, 33 U.S.C. §1251 et seq., establishes minimum national standards for stormwater permitting. However, most states have received federal authorization to implement stormwater permitting and do so through their own state-level environmental laws. In a small number of remaining states, stormwater permitting is administered by EPA.

55 See EPA, *National Pollutant Discharge Elimination System (NPDES): NPDES Stormwater Program*, last updated June 3, 2024, https://www.epa.gov/npdes/npdes-stormwater-program (discussing types of stormwater discharges and corresponding permitting programs). For example, a stormwater construction permit typically is required if there will be more than an acre of land-disturbing construction activity, whereas a stormwater industrial permit is required only for certain specified types of activity that may not cover a community composting operation. Additional requirements can vary, depending on the state. Maryland, for example, advises that "in general, most commercial composting operations that distribute compost will be required to obtain coverage under the General Permit for Stormwater Discharges Associated with Industrial Activity. . . . Noncommercial composting operations, which either produce compost for use by the operator or give away the compost free of charge (not including bartering), are unlikely to require a permit for stormwater discharges." See, e.g., Maryland Department of the Environment, *Permitting Guidance*, 12.

56 State and local regulatory requirements for activities in floodplains may result partially or entirely from the need to comply with the requirements of the National Flood Insurance Program (NFIP). Flood insurance is not made available under the NFIP in a community subject to flood hazards unless the community has adopted adequate floodplain management regulations consistent with federal criteria. 44 CFR pts. 59 & 60.

57 See, e.g., Ark. Pollution Control and Ecology Commission, Solid Waste Management Rules Reg. 22.803(a)(2) (providing that specified composting facility types "shall be designed and operated in [a] manner that will not restrict the flow of the base flood, reduce the temporary water storage capacity of the floodplain, or result in washout of solid waste so as to pose a hazard to human health, wildlife, or land or water resources") & Reg. 22.102 (defining "floodplain").

58 See, e.g., Maryland Department of the Environment, *Permitting Guidance*, 13 (discussing state air quality permits to construct and permits to operate and noting that "while the composting activity itself does not require an air quality permit, certain equipment that could be used at a composting facility may"). Air emissions permitting requirements are derived from the federal Clean Air Act (CAA), 42 USC §§7401 et seq. The CAA is an especially complex federal law, and any interface with community composting will typically be by way of state agencies implementing the CAA pursuant to state law.

59 See, e.g., Cal. SCQAMD R. 1133 (administrative requirements for composting operations, including registration with the local air district; community composting, as it is defined by this rule, is exempted).

60 Sophia Hosain, Clarissa Libertelli, and Brenda Platt, *Oh Rats! How to Avoid Rodents at Community Composting Sites*, ILSR, August 29, 2022, 2, https://ilsr.org/articles/composting-ohrats/. Other pests, including a variety of insect pests, may also be drawn to food waste. Bears may also be a factor for certain locations, in which case community composters may take additional measures to avoid bear pressure.

61 Ibid., 1. See also, e.g., Compost Power and ILSR, "Rodent Reduction Rubric," March 11, 2025, https://ilsr.org/articles/rodent-reduction/ (describing a scoring system on rodent management developed by a New York City community composter).

62 See Hosain, Libertelli, and Platt, *Oh Rats*, 1.

63 In legal terms, a private nuisance is a non-trespassory invasion of another's interest in the private use and enjoyment of his or her land. Restatement (Second) of Torts §821D (Am. L. Inst. 1979). A public nuisance is an unreasonable interference with a right common to the general public. Ibid., §821B(1). This may include a significant interference with public health. Ibid., §821B(2)(a).

64 *Washington Suburban Sanitary Commission v. CAE-Link Corp.*, 622 A.2d 745, 750 (Md. 1993) (discussing the law of nuisance generally).

65 Ibid., 761.

66 See, e.g., 250-140-05 R.I. Code R. §8.3(A)(4) (prohibiting small-scale composting operations from creating objectionable odors and requiring that sanitary conditions be maintained so as to avoid vectors); and Ohio Admin. Code R. 3745-560-210(H)(1)–(2) (requiring that Class II composting facilities operate so as to (1) control noise, dust, and odors, and (2) control the attraction, breeding, and emergence of insects, birds, rodents, and other vectors, so as not to cause a nuisance or a health hazard).

67 See, e.g., 15A N.C. Admin. Code 13B.1402 (providing that certain solid waste composting facilities producing compost that is distributed to the public or used in public areas must satisfy pathogen testing and recordkeeping requirements); Cal. Code Regs. tit. 3, §2320 (it is unlawful to distribute or sell an unregistered fertilizer product); and Md. Code Ann. §15.18.04.02 (requiring registration of "each brand or classification of compost before the compost is sold or distributed").

68 See, e.g., Atlanta (GA) Code of Ordinances §§2-1101 to 2-1640 (Procurement and Real Estate Code); Code of Metro Government of Nashville and Davidson County (TN) §§4.04.010 to 4.48.140 (Procurement Code); Codified Ordinances of Cleveland (OH) §§181.01 to 181.37 (Purchases and Supplies) and §§187A.01 to 187A.99 (Local Producer, Local-Food Purchaser, and Sustainable Business Preference Code); and Salt Lake City (UT) Code of Ordinances §§3.24.010 to 3.24.240 (Procurement). Some states, in fact, require compliance with state procurement legislation. See, e.g., S.C. Code §11-35-5320 (political subdivisions required to develop and adopt procurement laws). See also N.J. Stat. §40A:11-1 (N.J. Local Public Contracts Law).

69 Brenda Platt, *Yes! In My Backyard: A Home Composting Guide for Local Government*, ILSR, May 22, 2018, 41–51, https://ilsr.org/articles/yimby-compost/.

70 Brenda Platt, "Performance-Based Composting Permit Regulations," ILSR, June 1, 2016, https://ilsr.org/articles/performance-based-composting/.

71 This memo and the Model distinguish between municipal zoning requirements and other kinds of municipal regulatory requirements applicable to community composting operations. However, many municipalities do not observe this distinction. See, e.g., Bradley Adams, "Composting in Agricultural, Residential, and Commercial Districts," chapter 6.2 in *Sustainable Development Code: Food Security and Sovereignty*, Sustainable Development Code, accessed November 2024, https://sustainablecitycode.org/brief/composting-in-agricultural-residential-and-commercial-districts-4/ (discussing zoning and other requirements pertaining to composting found in a range of local ordinances).

72 See Hoover et al., "Model Municipal Zoning Ordinance." See also USCC, *Model Zoning Text Amendment for Composting Facilities*, 2022, https://www.compostingcouncil.org/page/Model-Zoning-Template-and-Guidelines.

73 See, e.g., Altoona (WI) Municipal Code §8.34.030(A)(2) (Composting); Ferguson (MO) Code of Ordinances §37-6 (Composting); Edwardsville (IL) Code of Ordinances §1248.02.16 (Compost piles; public/private).

74 See, e.g., Island Cty. (WA) Code of Ordinances §8.08B.150 (Composting facilities).

75 See, e.g., Boulder (CO) Municipal Code §6-3-6 (Health, Safety, and Sanitation Title) ("No person who maintains a compost pile shall fail to prevent it from becoming a nuisance due to putrid odors or attraction of wildlife or pests, including, without limitation, rodents, insects, or other animals.").

76 See, e.g., Altoona (WI) Municipal Code §8.34.030(A)(2) ("All compost piles and bins shall be so maintained as to prevent the attraction or harborage of rodents and pests. The presence of rodents or pests in or near a compost pile or bin shall be considered a public nuisance and be cause for the City of Altoona and/or Eau Claire County Public Health to proceed to enforcement."); and Edwardsville (IL) Code of Ordinances §1248.02.16(a)(2) (similar).

77 For example, one Washington county requires that operators "control nuisance odors to prevent migration beyond property boundaries" and "manage the operation to prevent attraction of flies, rodents, and other vectors." Island Cty. (WA) Code of Ordinances §8.08B.150(A)(3)(c), (d). Best management practices include use of a rodent-resistant system. A rodent-resistant system is one designed with holes not greater than one-half inch, such as a three-bin system enclosed with galvanized steel hardware cloth (ideally 23-gauge or lower) or an in-vessel tumbler. Quarter-inch hardware cloth is generally not available in a strong enough grade of galvanized steel to deter all rodents, but adding an additional layer of quarter-inch hardware cloth to galvanized steel half-inch hardware cloth would also deter mice. Half-inch holes will keep out rats; quarter-inch holes will keep out mice.

78 See, e.g., Altoona (PA) Health & Safety Code §8.34.030(A)(5) ("No compost pile or bin may be placed within twenty (25) [sic] feet of any body of water, wetland, or area designated as 100-year flood plain.").

79 "Once FEMA provides a community with the flood hazard information upon which floodplain management regulations are based, the community is required to adopt a floodplain management ordinance that meets or exceeds the minimum NFIP requirements." Federal Emergency Management Authority (FEMA), *Floodplain Management Ordinances*, updated July 8, 2020, https://www.fema.gov/glossary/floodplain-management-ordinances. See 44 CFR pts. 59 & 60. See also, e.g., Code of the City of Frederick (MD) §31-11(a) (establishing requirement of permit from city engineer prior to development or construction in a flood hazard area).

80 Nora Goldstein et al., "BioCycle Nationwide Survey: Residential Food Waste Collection Access in the U.S.," *BioCycle*, September 11, 2023, https://www.biocycle.net/residential-food-waste-collection-access-in-u-s/ (finding that 8.2 million households had curbside-only access, 5.1 million households had drop-off-only access, and 1.8 million households had both types of access).

81 See, e.g., Cal. SB 1383.

82 A contract may be exclusive to a single hauler, semi-exclusive (with different haulers servicing specific districts in a collection service area), or even nonexclusive. See, e.g., Metro Government of Nashville and Davidson County, *Solid Waste Master Plan: Achieving Zero Waste*, August 2019, app. L, L8–L10, https://filetransfer.nashville.gov/portals/0/sitecontent/pw/docs/recycle/MasterPlan/SWMP%20Appendices_Final.pdf (overview of solid waste collection franchising). For a discussion of how exclusive franchise agreements have negatively affected community composting operations in California, see SELC, *Draft Policy Guide: Growing Compost*, 16. See also Brenda Platt, "Cities' Exclusive Agreements with Trash Collectors Are Holding Back Community Composters," ILSR, April 27, 2022, https://ilsr.org/articles/franchise-districts-composters/.

83 Terminology varies across local governments. The Model refers to hauler "licensing," which is common language (e.g., in Austin), though many municipal governments refer to "permitting" instead (e.g., Nashville). See Austin Resource Recovery, "Get a Private Hauler License," accessed February 24, 2025, https://www.austintexas.gov/department/get-private-hauler-license; and Metro Government of Nashville and Davidson County, "Private Collection Permits," accessed September 2023, https://www.nashville.gov/departments/water/waste-and-recycling/private-collection-permits.

84 See Foundation for Community Association Research, *2023 U.S. National and State Statistical Review*, accessed November 2024, https://foundation.caionline.org/wp-content/uploads/2024/01/2023StatsReviewDigital-002.pdf (summarizing recent association data and information).

85 State laws and local ordinances that protect residential access to composting are sometimes called "right to compost" laws. See, e.g., Md. Code Ann., Real Property §11B-111.9 (providing that an HOA may not prohibit or unreasonably restrict a lot owner from contracting with a private entity to collect organic waste materials from the lot owner for composting at a composting facility, which includes impeding the ability of a private entity to access the common elements for the purpose of collecting such materials); Md. Code Ann., Real Property §11-111.5 (same, condominiums); Tex. Property Code Ann. §202.007(a)(1), (d)(1) (providing that a property owners' association may not prohibit or restrict a property owner from implementing measures promoting solid-waste composting of vegetation, including grass clippings, leaves, or brush, but may regulate the requirements for or location of a composting device); and Code of the City of Austin, Tex. §15-6-91 (providing that multifamily residential premises with five or more dwelling units must ensure that tenants and employees have access to composting services).

86 See, e.g., Island County (WA) Code of Ordinances §8.08B.150(A)(3)(e); Ferguson (MO) Code of Ordinances §37-6(d).

87 See, e.g., Camas (WA) Code of Ordinance §2.25.050 (giving purchasing priority to compost products from companies that produce compost products locally, are certified by a nationally recognized organization, and produce compost products that are derived from municipal solid waste compost programs and meet quality standards comparable to those adopted by state governmental departments). In Washington, state law requires such ordinances for certain cities and counties. RCW 43.19A.150. For easily adaptable legal language regarding compost procurement, see Linda Breggin and Darby Hoover, "Model Compost Procurement Policy: With and Without Commentaries," NRDC and ELI, July 2021, https://www.nrdc.org/resources/model-compost-procurement-policy-and-without-commentaries. For examples of community composters with municipal contracts, see ILSR, "Webinar: Government Support for Community Composting Part 2: Food Scrap Collectors & Composters with Municipal Contracts," May 25, 2022, https://ilsr.org/articles/govt-support-for-community-composting-collectors/.

88 See, e.g., Linda Breggin, Akielly Hu, and Sam Koenig, *A Toolkit for Incorporating Food Waste in Municipal Climate Action Plans*, ELI, July 2021, https://www.eli.org/research-report/toolkit-incorporating-food-waste-municipal-climate-action-plans; ILSR, *Composting and Climate Action Plans: A Guide for Local Solutions—Model Measures and Template Language*, April 2024, https://cdn.ilsr.org/wp-content/uploads/2024/04/Composting-and-Climate-Action-Plans-A-Guide-for-Local-Solutions-April-2024.pdf (outlining model language to use as a template for incorporating local, decentralized composting into climate action plans); Emily M. Broad Leib et al., *Achieving Zero Food Waste—A State Policy Toolkit: Other Governmental Action to Address Food Waste*, Zero Food Waste Coalition, May 2023, 14–16 and Appendix N, https://cdn.sanity.io/files/34qvzoil/production/a517a31a81c38d76e897dd539bde3207affa164d.pdf (climate action plans with a food waste reduction goal; includes model); and Frederick County (MD) Division of Utilities and Solid Waste Management, *Solid Waste Management Plan 2018–2037*, October 31, 2017, https://frederickcountymd.gov/DocumentCenter/View/330456/SWMP_Senate-Bill-370_2020-11-25_Final_MDE-approved (waste management plans).

89 For a model ordinance with commentaries and background memorandum addressing zoning barriers to community composting, see Hoover et al., "Model Municipal Zoning Ordinance."

90 Angela Park, *Equity in Sustainability: An Equity Scan of Local Government Sustainability Programs*, Urban Sustainability Directors Network, September 2014, i:1, https://www.usdn.org/uploads/cms/documents/usdn_equity_scan_sept_2014_final.pdf; see also Seema Kakade, "A Contractual Relationship with Environmental Justice," *American University Law Review* 73, no. 2 (2023): 354, https://aulawreview.org/wp-content/uploads/2024/02/Kakade.pdf ("Scholars cite to four dimensions to justice that are embedded in the concept of environmental justice: distributive justice, procedural justice, corrective justice, and transitional or social justice.").

91 Park, *Equity in Sustainability*.

92 Ibid.; see also Julia Spector and Najee Quashie, *Community Composting and Priority Climate Action Plans Guide*, ILSR, last updated February 2024, 14, https://ilsr.org/wp-content/uploads/2023/12/Community-Composting-and-Priority-Climate-Action-Plans-Guide.February2024.pdf ("Composting . . . programs must not be relegated to high-earning communities but must be established in low-income communities").

93 Park, *Equity in Sustainability*; see also Spector and Quashie, *Community Composting and Priority*, 15 ("Acknowledge the environmental injustices marginalized communities have faced and meaningfully incorporate residents into composting solutions to right these wrongs").

94 Park, *Equity in Sustainability*.

95 Ibid.

96 See, e.g., Jordan Perry and Linda Breggin, "An Overview of Multilingual Outreach, Translation, and Language Justice Resources," ELI, June 2022, https://www.eli.org/research-report/research-brief-overview-multilingual-outreach-translation-and-language-justice. See also Spector and Quashie, *Community Composting and Priority*, 15 ("Historically marginalized communities, including people of color, low-income, immigrants, people with impairments, and limited English proficient individuals, should be given meaningful opportunities to engage in the planning and operation of any composting . . . program requiring outreach and accessible means of participation").

97 Park, *Equity in Sustainability*; see also Spector and Quashie, *Community Composting and Priority*, 15 ("Outreach and education campaigns must reach underserved and disadvantaged communities").

98 See FEMA, *Engaging Faith-Based and Community Organizations*, April 2025, https://www.fema.gov/sites/default/files/documents/fema_engaging-faith-based-and-community-organizations-guide_2025.pdf.

99 Because community composters often create many co-benefits for the community, the environment, and the municipality for which they are not compensated (e.g., greenhouse gas reduction, waste management cost reduction, soil health improvements, job training, and green space), municipalities should consider opportunities to assist them financially.

100 City University of New York Institute for State & Local Governance, *Building Better Public Sector Data: CUNY ISLG's Data and Analytic Capacity-Building (DACB) Model*, October 8, 2024, https://static1.squarespace.com/static/5fcea962a1b4d771ad256fcc/t/6706d50b4e6e7d304c8ec709/1728501005428/CUNY+ISLG+Data+and+Analytic+Capacity+Building+Model+-+October+2024.pdf.

Appendix A2

JUNE 2025
FS: 25-06-A

MODEL MUNICIPAL ORDINANCE ON ADVANCING COMMUNITY COMPOSTING*

*For a version with commentaries: *Model Municipal Ordinance on Advancing Community Composting, with Commentaries*.
For background information and supplemental resources: *Model Municipal Ordinance on Advancing Community Composting: Background Memorandum*.

OUTLINE

1.0 Findings
2.0 Declaration of Policy
3.0 Definitions
4.0 Goals
5.0 Identification of Municipal Laws and Reduction of Municipal Regulatory Barriers
6.0 Identification of State Laws
7.0 Opportunities to Advance Community Composting
8.0 Reporting
9.0 Severability
10.0 Effective Date

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www.linkedin.com/company/institute-for-local-self-reliance

1.0 FINDINGS

1.1 More than 30 percent of the food supply in the United States goes uneaten, and the most common destination for this food waste is a landfill, where it typically represents the largest component of disposed material.

1.2 The amount of food wasted in the United States is worth approximately $382 billion per year. When food is wasted, water and other resources used to produce that food also are wasted.

1.3 Food waste disposed of in landfills emits methane, a greenhouse gas that contributes to climate change and is far more potent than carbon dioxide, especially in the near term. An estimated 58 percent of fugitive methane emissions from landfills comes from food waste.

1.4 Composting diverts food waste and other organic material from landfills and incinerators. This in turn can:

1.4.1 Reduce greenhouse gas emissions from landfilled and incinerated organic material;

1.4.2 Decrease the harmful public health and environmental impacts of landfills and incinerators;

1.4.3 Lower municipal solid waste management costs associated with landfilling and incineration;

1.4.4 Reduce the need to expand existing landfills and build new landfills and incinerators, which are costly and disproportionately sited in low-income communities and communities of color; and

1.4.5 Provide green jobs and job training.

1.5 Composting produces a valuable soil amendment that can be used to enrich soil and plants. It provides other environmental and economic benefits as well, including sequestering carbon; preventing erosion; reducing stormwater runoff; and decreasing the need for chemical fertilizers, pesticides, and irrigation.

1.6 Community composting, with its community focus and relatively small size, can provide [Municipality] and its community members local environmental, economic, and social benefits, such as community engagement and education, local green job creation and training, and application of compost to local soil.

1.7 Community composting can provide needed green spaces, fill gaps in municipal waste service offerings, and offer numerous soil health benefits as well as immobilize contaminants in soil and groundwater through local application of compost.

1.8 Community composting, when used to support community gardens and urban farms, contributes to the local production of food and enhances knowledge of and participation in local food systems.

1.9 Community composters often encounter regulatory barriers at both the municipal and state levels that can hinder their ability to establish and sustain operations. [Municipality] can advance community composting by taking steps to eliminate or reduce unreasonable regulatory barriers to community composting.

1.10 Community composters' operations are often small and locally led; thus, they will benefit from [Municipality's] support through education initiatives, technical assistance, and financial assistance.

2.0 DECLARATION OF POLICY

2.1 It is the purpose of this ordinance both to reduce unreasonable regulatory barriers to community composting and to provide opportunities for advancing community composting.

2.2 It is the intention of [City Council] to:

2.2.1 Advance the many environmental, public health, equity, waste management cost, and job benefits of community composting;

2.2.2 Encourage community composting undertaken in compliance with the law by supporting community composters in navigating the regulatory framework for community composting;

2.2.3 Encourage the production of high-quality compost;

2.2.4 Amend [Municipality]'s municipal code and take other practical steps to eliminate or reduce unreasonable regulatory barriers to community composting;

2.2.5 Consider supporting community composting through educational initiatives, technical assistance, and financial assistance;

2.2.6 Consider setting specific municipal targets related to community composting;

2.2.7 Encourage the use of locally generated compost as a community resource that contributes to erosion control, drought protection, stormwater management, improved soil health, and carbon sequestration; and

2.2.8 Encourage the integration of community composting into regional and municipality-wide solid waste management planning to support widespread access to compost programs.

2.3 It is the intent of [City Council] that [Municipality] shall implement this ordinance in a fair and equitable manner.

3.0 DEFINITIONS

3.1 **Community composting** means an approach to composting, using one or more basic configurations, that:

3.1.1 Sources organic material locally, distributes most or all of the compost locally or uses most or all of the compost on local soils, and typically engages the community in the composting process;

3.1.2 Occupies a smaller operational area and processes substantially less organic material than industrial composting; and

3.1.3 Does not engage in on-farm composting (unless on an urban farm or in a community garden).

3.2 **Community composting operation** means all activities, whether conducted at a community composting site or off-site, necessary to support community composting. It may include collecting, receiving, storing, or transferring organic material; undertaking related hauling activities; generating and distributing compost; or a combination thereof.

3.3 **Compost** means the dark, crumbly, earthy-smelling, biologically stable soil amendment produced by composting.

3.4 **Composting** means the controlled, aerobic, biological decomposition of organic material.

3.5 **Hauler** means any person engaged in the transportation of organic material or solid waste.

3.6 **Organic material** means any compostable material used in the production of compost, including garden or landscaping waste and food scraps.

3.7 **Unreasonable regulatory barrier to community composting** means a non-zoning regulatory requirement, including a local permitting requirement or permit condition, that imposes on a community composting operation a burden that is unintended, unnecessary, or disproportionate to the expected benefit of applying the requirement.

4.0 GOALS

[Municipality] shall establish and track progress toward an annual, measurable goal for increasing community composting operations located within [Municipality], with such goal stated in terms of:

4.1 Number of community composting operations within [Municipality];

4.2 Volume of organic material processed by community composting operations within [Municipality];

4.3 Volume of compost distributed by community composting operations within [Municipality]; or

4.4 Any other suitable metric.

5.0 IDENTIFICATION OF MUNICIPAL LAWS AND REDUCTION OF MUNICIPAL REGULATORY BARRIERS

5.1 **Identification of applicable municipal laws.** [Municipality] shall review, compile, and maintain an inventory of municipal ordinances and regulations that apply, or may apply, to a community composting operation, including any requirement to obtain a permit.

5.1.1 These municipal ordinances and regulations may address the following topics, without limitation: zoning; nuisance requirements; requirements to protect floodplains and flood-prone areas; licensing of haulers and collection of organic material; regulation of the distribution and sale of compost; and regulation of the procurement of compost and composting services.

5.1.2 [Municipality] shall publish, and periodically update, such inventory and make it available to the public free of charge in print and electronic formats.

5.2 **Reduction or elimination of municipal regulatory barriers—generally.** [Municipality] shall:

5.2.1 Determine whether any municipal ordinance or regulation identified pursuant to Section 5.1 presents an unreasonable barrier to community composting; and

5.2.2 For any municipal ordinance or regulation that is determined to present such a barrier, and to the extent practicable, reduce or eliminate such barrier by amending the municipal ordinance or regulation with regard to community composting operations.

5.3 **Municipal nuisance requirements**

5.3.1 [Municipality] shall—

5.3.1.1 Determine whether any municipal ordinance or regulation identified in the review pursuant to Section 5.1 may provide for a determination that a nuisance exists at a community composting site due to odors, rodents, or other pests in connection with composting; and

5.3.1.2 To avoid an unreasonable regulatory barrier to community composting, consider amending such ordinance or regulation to ensure that a nuisance determination made with regard to a community composting site considers whether best management practices were and continue to be in use.

5.3.2 For purposes of this Section, best management practices include, but are not limited to, the following:

5.3.2.1 Nitrogen-rich feedstocks (such as food scraps) are:

5.3.2.1.1 Contained at all times, such as in a fully enclosed, sealed barrel or bucket;

5.3.2.1.2 Covered with at least three (3) inches of carbon-rich materials with no visible food scraps and in a rodent-resistant system;

5.3.2.1.3 Mixed immediately with carbonaceous feedstocks and placed in a rodent-resistant system;

5.3.2.1.4 Incorporated into active composting the same day as arrival on site and, if in an open pile, sealed with at least eight (8) inches of carbon-rich material; or

5.3.2.1.5 Pre-processed, including through dehydration or fermentation methods such as bokashi, and contained at all times;

5.3.2.2 Open compost piles are surrounded by a minimum of two feet of empty space at all times; and

5.3.2.3 Acceptance of new food scraps is ceased when rodents or other vectors of public health concern are present in the vessels, bins, windrows, or piles, until the problem is resolved.

5.4 **Municipal requirements to protect floodplains and flood-prone areas.** Except as may be required by local conditions, [Municipality] shall not restrict the activities of a community composting operation under a municipal ordinance intended to protect floodplains or flood-prone areas more stringently than is necessary to satisfy the requirements of state or federal law.

5.5 **Municipal licensing of haulers and collection of organic material**

5.5.1 Except as may be required under state law, a person transporting organic material exclusively as part of a community composting operation is exempt from municipal licensing requirements applicable to waste haulers.

5.5.2 [Municipality] shall not enter into or renew an exclusive franchise zone arrangement or other private contract for solid waste hauling that has the effect of prohibiting or unduly restricting the ability of a community composting operation to collect organic material.

5.5.3 [Municipality] shall:

5.5.3.1 Determine whether municipal residents subject to requirements imposed by homeowners' associations, condominium owners' associations, or owners of multifamily residential dwelling units are prohibited or unreasonably restricted from arranging with a community composting operation to collect organic material for community composting; and

5.5.3.2 Where such prohibitions or unreasonable restrictions to community composting are determined to exist under Section 5.5.3.1, consider amending municipal ordinances and regulations to reduce or eliminate such prohibitions or restrictions with regard to community composting operations.

5.6 **Municipal regulation of distribution and sale of compost and of procurement of compost and composting services**

5.6.1 [Municipality] shall:

5.6.1.1 Determine whether any municipal ordinance or regulation identified in the review conducted pursuant to Section 5.1 governs the distribution and sale of compost—including, without limitation, requirements for testing and analysis of compost prior to off-site distribution and restrictions on public use of compost; and

5.6.1.2 For any such municipal ordinances and regulations that result in an unreasonable barrier to community composting, consider amending such municipal ordinances and regulations to reduce or eliminate these barriers with regard to community composting operations.

5.6.2 To remove unreasonable regulatory barriers and encourage the procurement of locally produced compost and food scrap composting services provided by community composters, [Municipality] shall review the municipal procurement code and any implementing regulations and policies and, to the extent appropriate and practicable, amend such codes, regulations, or policies.

6.0 IDENTIFICATION OF STATE LAWS

6.1 [Municipality] shall review, compile, and maintain an inventory of the state-level laws and regulations that apply, or may apply, to a community composting operation, including any requirement to obtain a state permit.

6.1.1 The inventory prepared under this Section may address the following topics, without limitation: proper solid waste management; protection of water and air resources; avoidance of nuisance impacts from pests and odors; and oversight of the distribution and sale of compost.

6.1.2 [Municipality] shall publish, and from time to time update, such inventory and make it available to the public free of charge in print and electronic formats.

6.2 [Municipality] may further:

6.2.1 Determine whether any state-level law or regulation identified pursuant to this Section presents an unreasonable barrier to community composting within [Municipality]; and

6.2.2 For any such state-level law or regulation, to the extent practicable, communicate this determination to the responsible state entity and, as appropriate, recommend options for ameliorating any unintended adverse effects of the state-level law or regulation on community composting.

7.0 OPPORTUNITIES TO ADVANCE COMMUNITY COMPOSTING

7.1 [Municipality] shall, to the extent practicable, pursue one or more of the following opportunities to promote public awareness and education about community composting:

7.1.1 Participating in existing awareness campaigns;

7.1.2 Partnering with community composters or other organizations on community-wide awareness and education campaigns; and

7.1.3 Working with local partners to develop community composting education and awareness initiatives tailored to specific audiences, including, but not limited to, students.

7.2 [Municipality] shall assess and, to the extent practicable, pursue opportunities to provide technical assistance to community composters, including, but not limited to:

7.2.1 Providing technical assistance directly through municipal staff or municipal programs;

7.2.2 Working with a third party (including private contractors and regional nonprofits) to provide technical assistance;

7.2.3 Providing community composters with technical resources on composting and community composting;

7.2.4 Endorsing or adopting a guide on community composting siting and operations that includes best management practices for avoiding rodents and other pests, as well as odors;

7.2.5 Developing education, training, and certification courses on community composting, or publicizing existing courses; and

7.2.6 Sponsoring or otherwise supporting demonstration projects.

7.3 [Municipality] shall assess and, to the extent practicable, pursue opportunities to provide financial assistance for community composting, including but not limited to:

7.3.1 Providing grant opportunities or direct funding for community composters;

7.3.2 Providing in-kind contributions, such as access to municipal land and composting bins, free of charge or at a discounted or subsidized rate;

7.3.3 Partnering with community composters to apply for federal and state funding; and

7.3.4 Providing assistance to community composters seeking external funding, through:

7.3.4.1 Supporting grant application efforts;

7.3.4.2 Compiling and publicizing grants offered by federal and state agencies, philanthropic organizations, and nongovernmental organizations; and

7.3.4.3 Directing community composters to banks and credit unions that may provide financing for their projects.

8.0 REPORTING

[Municipal Department] shall issue an annual public report on the effectiveness of measures adopted pursuant to this ordinance in encouraging community composting measured against the goals established under Section 4.

9.0 SEVERABILITY

This ordinance and the various parts thereof are hereby declared to be severable. If any provision, sentence, clause, phrase, or word contained in this ordinance, or any application of it, is held to be invalid by a decision of a court of competent jurisdiction, then such decision shall not affect the validity of the remaining portions or applications of this ordinance.

10.0 EFFECTIVE DATE

This ordinance takes effect [number of days] after its [adoption/publication].

Appendix A3

Reducing Wasted Food to Grow Community Wealth

24%
of the **U.S. municipal waste stream** is made up of **wasted food.**

1 Avoid Waste and Save Money

Educate households and businesses and rescue edible food to feed those in need.

2 Compost Locally

Instead of handing money to Big Waste companies, compost with non-profits, farmers, and small businesses.

3 Use Finished Compost to Grow Local Food

Compost enhances soil fertility and water-holding capacity, climate resiliency, and healthy food production.

4 Invest the Savings Into the Community

Savings can support local projects for food rescue, composting, and green infrastructure.

$1,500 Saved
by the average **U.S. family of four** by **not over-buying** on groceries.

3X More Jobs
created by community composting per ton than landfilling.

Appendix A4

Big Waste's Profitable Playbook

4 Big Companies Dominate the $91 Billion Waste Industry

...and at each stage of waste disposal, they profit off of communities.

1 **Control the Collection Routes**

49% of the **U.S. collection market** is controlled by **just 3 companies.**

2 **Take Over Polluting Waste Transfer Stations**

3 **Profit from Incinerating and Landfilling Trash**

48% of **U.S. landfill volume** is owned by **just 2 companies.**

Appendix B1

Compost Drop Off Options

Farmers Market Organics Drop-off Programs

What it is: A network of 10 organics drop-off sites co-located at farmers markets throughout Philadelphia. Staffing would be provided to avoid contamination and to provide education and literature for interested residents. The programs would operate during the hours that the farmers markets were open. Similar programs exist (or have existed) in New York City, Washington, D.C., and Fairfax County, Virginia. Five of these markets would be year round markets and five of them would be seasonal (typically May-November). Initially these markets would be coordinated with existing farmers markets run by The Food Trust, Farm to City and Philadelphia Parks & Recreation. The program could be scaled as it proves successful.

How much material could be collected: An estimated 152,000 - 507,000 lbs of food waste would be collected and composted per year. The range reflects variables related to the size of the market and the levels of participation. Weights and the number of people dropping off for each market would be provided.

How much would it cost: The annual cost of the program would be $105,000 - $150,000 based on the total amount of food waste that ended up being collected. This would include staffing the markets, collection and processing of the food waste and program management for the entire program. Additionally, the program would generate cost savings for the city on the diverted tipping fees.

Sanitation Center Drop-offs

What it is: A network of drop-off sites co-located at City of Philadelphia Sanitation centers. These sites would be open during the hours the sanitation centers were open. Each center would be provided with 32 gallon lidded rolling containers and signage that would be swapped out 3X per week. The program could be scaled to include additional city facilities as it proves to be successful.

How much material could be collected: An estimated 600,000- 1,200,000 lbs of food waste would be collected and composted per year. The range reflects variables related to the levels of participation. Weights for each center would be provided.

How much would it cost: The annual cost of the program would be $80,000 - $130,000 based on the total amount of food waste that ended up being collected. This would include collection and processing of the food waste and program management for the entire program. Additionally, the program would generate cost savings for the city on the diverted tip fees.

Recreation Center Drop-offs

What it is: A network of drop-off sites co-located at City of Philadelphia Recreation centers. These sites would be open during the hours the recreation centers were open. Each center would be provided with a 32 gallon lidded rolling container and signage that would be swapped out 2X per week. The program could be scaled to include additional city facilities as it proves to be successful.

How much material could be collected: An estimated 400,000- 1,300,000 lbs of food waste would be collected and composted per year. The range reflects variables related to the levels of participation. Weights for each center would be provided.

How much would it cost: The annual cost of the program would be $106,000 - $295,000 based on the total amount of food waste that ended up being collected. This would include collection and processing of the food waste and program management for the entire program. Additionally, the program would generate cost savings for the city on the diverted tip fees.

Corner Store (Commercial Corridor) Drop-off Program

What it is: A network of drop-off sites located at corner stores and other local businesses throughout Philadelphia. These sites would be geographically dispersed and residents could drop-off material that would be collected 2X per week from the businesses. Residents could drop-off the containers during the hours the businesses were open. The businesses would be compensated for hosting the containers and would be responsible for handling the drop-offs.

How much material could be collected: An estimated 665,000-1,330,000 lbs of food waste would be collected and composted per year. The range reflects variables related to the levels of participation and businesses involved. Estimated weights for each location would be provided.

How much would it cost: The annual cost of the program would be $270,000 - $545,000 based on the total amount of food waste that ended up being collected. The variation would be based on the number of participating businesses and the amount each business would be compensated. This would include collection and processing of the food waste, recruitment and program management for the entire program. Additionally, the program would generate cost savings for the city on the diverted tip fees.

House of Worship Drop-off Program

What it is: A network of drop-off sites located in houses of worship throughout Philadelphia. These sites would be geographically dispersed and residents could drop-off material that would be collected 1X per week from the businesses. Residents could drop-off the material at times related to services or at another time designated by the house of worship. The houses of

worship would be compensated for hosting the containers and would be responsible for handling the drop-offs.

How much material could be collected: An estimated 499,200-1,996,000 lbs of food waste would be collected and composted per year. The range reflects variables related to the levels of participation and size of the houses of worship involved. Estimated weights for each location would be provided.

How much would it cost: The annual cost of the program would be $232,600 - $440,000 based on the total amount of food waste that ended up being collected. The variation would be based on the number of participating businesses and the amount each business would be compensated. This would include collection and processing of the food waste, recruitment and program management for the entire program. Additionally, the program would generate cost savings for the city on the diverted tip fees.

Curbside Organics Collection Pilot Programs

Fully Subsidized Collection Program

What it is: A curbside collection organics program where Philadelphia residents would receive fully subsidized collections service from private organics collection. The subsidies would be provided by the city to the private organics collection companies providing the service. Eligible companies would be vetted by the city with priority given to companies based in Philadelphia. Residents would be allowed to hire private compost collection companies to collect their organics curbside 1X per week. Compost collection companies would be responsible for administering the sign-ups and providing bins to residents and the city would cover the cost based on the usage. The city would make either 5000, 10000 or 15000 households eligible. Slots would be divided on a geographic basis to ensure all residents of the city had an equal opportunity to participate. For reference, Washington D.C, has a current 5000 household pilot program for residents.

How much material could be collected: An estimated 2,600,000 - 7,800,000 lbs of food waste would be collected and composted per year. The range reflects variables related to the levels of participation. Total weights would be provided.

How much would it cost: The total cost of the program would be $1,195,000 - $3,380,000 based on the amount of participants the city makes eligible. Additionally, the program would generate cost savings for the city on the diverted tip fees. This would include collection and processing of the food waste, recruitment and program management for the entire program.

Partially Subsidized Curbside Organics Collection Pilot Program

What it is: A curbside collection organics program where Philadelphia residents would receive partially subsidized collections service from private organics collection. The subsidies would be provided by the city to the private organics collection companies providing the service. The subsidies would reduce the cost of the service to $9/month. Eligible companies would be vetted by the city with priority given to companies based in Philadelphia. Residents would be allowed to hire private compost collection companies from the vetted list to collect their organics curbside 1X per week. Compost collection companies would be responsible for administering the sign-ups and the city would cover the cost based on the usage. The city would make either 5000, 10000 or 15,000 households eligible. Slots would be divided on a geographic basis to ensure all residents of the city had an equal opportunity to participate. For reference, Washington D.C, has a current 5000 household pilot program for residents.

How much material could be collected: An estimated 2,600,000 - 7,800,000 lbs of food waste would be collected and composted per year. The range reflects variables related to the levels of participation. Total weights would be provided. This would include collection and processing of the food waste, recruitment and program management for the entire program.

How much would it cost: The total cost of the program would be $760,000 - $2,240,000 based on the amount of participants that the city makes eligible.

Appendix B2

Compost Drop Off Options

Overall Advantages:

- Lower overall cost compared to other compost options
- Usually first step that municipalities take with composting programs
- While initial staffing is required to make sure people are not putting the wrong things in the bins, often drop-off programs can function as unstaffed once the programs have been established, lowering costs of operating them.

Overall Disadvantages:

- Less convenient for users than curbside models
- Capture less overall waste (so less cost savings from diverted tip fees)

1) **Farmers Market Organics Drop-off Programs**

   Advantages:

   - **Proven** - The model has been successfully run in multiple cities including New York and Washington D.C.
   - **Low cost** - Second lowest total cost of any model.
   - **High visibility** - a population who is often already interested in composting is coming here anyways. These will lower start-up costs around outreach.
   -

   Disadvantages:

   - **Less cost effective** - Higher per pound cost
   - **Limited reach** - Hits a smaller section of Philadelphians than most other models
   - **Less convenient -** Limited schedule of farmers markets makes it less available to residents than other models

2) **Sanitation Center Drop-offs**

   Advantages:

   - **Simple** - The City can set-up sites without third-party hosts for bins
   - **Cost effective** - The lowest cost/lb and total cost of any model due to city staffing of sites with existing sanitation staff (assuming existing city staff can be used - see disadvantages below for further discussion).
   - **Pilot in works (potentially)** - Laura Cassidy at Prisons has already approached Sanitation about piloting such a model as part of a planned expansion of their on-site composting program.

   Disadvantages:

   - **Less convenient** - Least number of drop-off locations, most are not accessible without a vehicle.

- **Lots of upfront outreach** - Requires substantial outreach and education to get word out and residents aware of the program because of limited awareness and visibility of sanitation centers.
- **Potential for contamination** - Because material is not processed by the people manning the drop-off there is higher likelihood of contamination (plastic, etc) in bins without appropriate training and buy-in from city workers.
- **Potential for additional staffing costs (especially at start-up)** - Because these sites would need to be staffed (at least initially) there could be additional costs if staffing cannot be provided by existing city employees.

3) **Recreation Center Drop-offs**

Advantages:

- **Simple** - The City can set-up sites without third-party hosts for bins
- **Cost effective** - On the lower side for both cost/lb and total cost due to city staffing of sites with existing recreation staff (if existing city staff can be used - see disadvantages below for further discussion)
- **Convenient -** Over 150 recreation centers and playgrounds throughout every neighborhood of the city. Many are already staffed for 40+ hours/week.
- **Boost to rec center programming**- Additional foot traffic to rec centers from the program could help the rec centers to thrive in other ways.
- **Existing Precedent**: Around 100 Rec Centers already have their food waste from After School and Summer program picked up by Bennett Composts. Because of this, Rec Center staff have some training and base knowledge about composting.

Disadvantages:

- **Potential for contamination** - Because material is not processed by the people manning the drop-off there is higher likelihood of contamination (plastic, etc) in bins without appropriate training and buy-in from city workers.
- **Potential for additional staffing costs (especially at start-up)** - Because these sites would need to be staffed (at least initially) there would be additional costs (at least initially) if from either additional city employees or outside contractors.
- **Potential for issues with buy-in** - Wide range of buy-in from existing recreation leaders already for current composting program. Potential concerns about how additional responsibilities would be received from staff.
- **New model** - Not aware of any other place that has used this kind of model so less available data and existing resources to learn from in design.

4) **Corner Store (Commercial Corridor) Drop-off Program**

Advantages:

- **Convenient -** Host sites could be recruited from neighborhoods throughout Philadelphia. Many corner stores and small grocery stores are open 80+ hours / week offering maximum flexibility for drop-offs to occur.
- **Boost to Neighborhood businesses** - Additional foot traffic to neighborhood businesses from the program could help the businesses to thrive in other ways.
- **Outreach Assistance -** Sites could be encouraged/incentivized to help out with promotion of programs to customers and in their neighborhoods.

Disadvantages

- **Cost effective -** Less cost effective than many of the other drop-off models
- **More Program Management -** Because it involves many third-party partners it will require high levels of program management and partner recruitment than city-run drop-off programs.
- **New model** - Not aware of any other place that has used this kind of model so less available data and existing resources to learn from in design.

5) **House of Worship Drop-off Program**

Advantages:

- **Convenient -** Host sites could be recruited from neighborhoods throughout Philadelphia.
- **Cost effective -** Low cost/lb due to the ability to potentially collect large amounts of material in relatively small collection windows.
- **Outreach Assistance -** Sites could be encouraged/incentivized to help out with promotion of programs to attendees of worship services. Often have strong ties to attendees and can help educate on the importance of the program.

Disadvantages

- **Cost effective -** Less cost effective than many of the other drop-off models
- **More Program Management -** Because it involves many third-party partners it will require high levels of program management and partner recruitment than city-run drop-off programs.
- **New model** - Not aware of any other place that has used this kind of model so less available data and existing resources to learn from in design.

Curbside Organics Collection Pilot Programs

Overall Advantages:

- More convenient than drop-off models

- Captures more overall waste (so more cost savings from diverted tip fees)
- Levels of subsidized service could be targeted by geographic location or income (using a proxy like SNAP eligibility) to specifically target lower-income areas or people for whom the cost of private service is a barrier.

Overall Disadvantages:

- Higher overall cost
- More start-up and ongoing outreach and education is required in neighborhoods where composting is not as familiar an idea.

1) **Fully Subsidized Curbside Organics Collection Pilot Program**

Advantages:

- **Convenient -** Residents can participate in the same way as current trash/recycling models
- **Cost to residents** - Reducing the cost to zero removes financial barriers for all Philadelphia residents to be able to participate.
- **Maximum Waste collected** - Has the highest potential for capturing the maximum amount of material

Disadvantages:

- **Required Outreach & Education:** Outreach will still need to happen for residents to know about and want to participate (this can be mitigated some by tying participation to cost paid to contractors).
- **Highest Cost** - This is the most expensive of all the models.

Partially Subsidized Curbside Organics Collection Pilot Program

Advantages:

- **Convenient -** Residents can participate in the same way as current trash/recycling models
- **Lower cost than fully subsidized -** By subsidizing the model the city can offer a curbside service at a lower cost. It also makes it as cost effective (or even more) than some of the drop-off models

Disadvantages:

- **Cost to residents:** This is the only model that residents have to pay to participate in. This could potentially lower the levels of participation.
- **Required Outreach & Education:** Outreach will still need to happen for residents to know about and want to participate (this can be mitigated some by tying participation to cost paid to contractors).

Appendix C

Kensington Compost Pilot Program

Who: Bennett Compost + New Kensington CDC + Anderson/Neubauer Family Foundation

What: Partnership to figure out alternate, accessible models for composting in neighborhoods with lower composting rates.

When: Started in April 2024. Ongoing.

Where: Kensington neighborhood of Philadelphia

How: Pilot free food waste collection and drop-off models in Kensington. Started with four models: Affordable Housing Buildwide Program, Curbside Pilot, Drop-off Program and Educational Programming Partnership.

Additional Partners Engaged:

- Visitation Community Center, Esperanza, Klean Kensington, The Simple Way, P&S Supermarket

Metrics through Dec 2024:

- 32 curb-side participants, 3 drop-off sites, 15% of residents in building
- Food waste collected from all programs: **14,505.96 lbs**.
    - Food waste collected from drop-offs: 7,307.50 lbs.
    - Food waste collected from building programs: 2,007.96 lbs.
    - Food waste collected from curbside programs: 2,938.00 lbs.
    - Food waste collected from partnership programs: 2,252.00 lbs.

Key Takeaways:

- Community buy-in and education are important. The more partners involved the easier this is. You want to cast as wide a net as possible. Folks unfamiliar with composting need repeated touch points to overcome hesitancy to engage.
- Curbside programs work best as opt-in programs targeting interested community members.
- Drop-off programs need time to develop. Should always start out as staffed to help educate community members on proper procedures and then they can move to unstaffed over time to reduce costs.
- Building wide programs work when the building does sustained outreach to residents and ties it into existing programming.

Paths Forward

- Continue to promote curbside pilot in targeted areas using partners as key messengers.
- Continue to offer expanded hours, unstaffed drop-off at Greensgrow and Tusculum Gateway Garden
- Continue to work with Orinoka House and do outreach to other CDCs regarding integrating composting into affordable housing.

Appendix D

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 07/14/2025

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	CONTACT NAME: Margaret Mackaman	
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PO Box 249	INSURER(S) AFFORDING COVERAGE	NAIC #
Montgomeryville PA 18936	INSURER A : Penn National Mutual Casualty	14990
INSURED	INSURER B : PinnaclePoint Insurance Company	15137
Bennett Compost, Inc.	INSURER C :	
5650 Rising Sun Avenue	INSURER D :	
	INSURER E :	
Philadelphia PA 19120	INSURER F :	

COVERAGES **CERTIFICATE NUMBER:** CL2551457318 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	[X] COMMERCIAL GENERAL LIABILITY [ ] CLAIMS-MADE [X] OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: [ ] POLICY [X] PRO-JECT [ ] LOC [ ] OTHER:	Y	Y	CL92016769	05/17/2025	05/17/2026	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG	$ 1,000,000 $ 100,000 $ 10,000 $ 1,000,000 $ 2,000,000 $ 2,000,000
A	AUTOMOBILE LIABILITY [X] ANY AUTO [ ] OWNED AUTOS ONLY [ ] SCHEDULED AUTOS [ ] HIRED AUTOS ONLY [ ] NON-OWNED AUTOS ONLY	Y	Y	AU92016769	05/17/2025	05/17/2026	COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident) Benefits	$ 1,000,000 $ $ $ $
A	[X] UMBRELLA LIAB [X] OCCUR EXCESS LIAB [ ] CLAIMS-MADE [ ] DED [ ] RETENTION $			UL92016769	05/17/2025	05/17/2026	EACH OCCURRENCE AGGREGATE	$ 1,000,000 $ 1,000,000 $
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y / N: Y If yes, describe under DESCRIPTION OF OPERATIONS below	N / A		WCP7005080	04/04/2025	04/04/2026	[ ] PER STATUTE [ ] OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	$ 500,000 $ 500,000 $ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

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CERTIFICATE HOLDER

Drexel University
Office of General Counsel
3020 Market Street, Suite 102
Philadelphia PA 19104

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Margaret Mackaman