



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION DIVISION OF SOLID AND HAZARDOUS WASTE

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PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

SHAWN M. LATOURETTE
Acting Commissioner

February 11, 2021

RE: An Act concerning food waste recycling and food waste-to-energy production (Food Waste Recycling Law) enacted on April 14, 2020

Dear Food Waste Generator,

You are receiving this letter as you have been recognized as an establishment that could potentially be regulated by this recently enacted legislation. On April 14, 2020¹, Governor Phil Murphy signed into law P.L. 2020, c.24 requiring large food waste generators to source separate and recycle their food waste under certain conditions no later than 18 months after the above date (by October 14, 2021). The New Jersey Department of Environmental Protection (NJDEP or the Department) is contacting you with information to assist you in understanding and applying the Law and how to successfully comply with it.

Please note that the Department recognizes the impact of the COVID-19 Pandemic on businesses such as yours and sympathizes with the burden of operating these businesses in such a climate. As such, the Department understands that the amount of food waste generated this year might be below normal levels; however, you are still encouraged to review the legislation and reach out to the Department for assistance in complying with the Law.

Food waste that ends up in a landfill generates methane, a potent greenhouse gas contributing to global warming. This Law is intended to increase the amount of food waste that is recycled and converted into products like renewable energy, compost, and fertilizer. Therefore, whether or not you are required to comply with this Law, reducing and/or recycling your food waste is beneficial for the environment.

The Law requires establishments² to source separate and recycle their food waste if the establishment:

- Generates an average projected volume of 52 tons or more of food waste per calendar year, and
- Is located within 25 road miles of an authorized food waste recycling facility which will accept the waste³, and
- Where the cost⁴ of recycling the food waste is not greater than 10 percent more than the cost (including transportation) of disposing the food waste⁵.

¹https://www.njleg.state.nj.us/2020/Bills/PL20/24_.PDF (C.13:1E-99.122 et. seq)

² As defined in the law, an establishment is any food wholesaler, distributor, industrial food processor, supermarket, resort, conference center, banquet hall, restaurant, educational or religious institution, military installation, prison, hospital, medical facility, or casino.

³ See list below of approved food waste recycling facilities as of January 2021 – contact them for details on their acceptance of food waste and prices.

⁴ See section 2 b (3) of the Law

⁵ You may also recycle your own food waste using a method approved by the Department.

There are currently two authorized food waste recycling facilities in New Jersey (in Elizabeth and Trenton, listed below), but new facilities are anticipated to be opening in the coming months/years. Even if you are not currently required to recycle food waste due to the proximity requirement, you may be soon as new facilities may commence operations at any time.

It is never too early to start preparing by taking some actions such as:

1. Quantifying the amount of food waste you generate by visiting the United States Environmental Protection Agency's resources for assessing wasted food at: <https://www.epa.gov/sustainable-management-food/resources-assessing-wasted-food>.
2. Donating surplus food, visit <https://www.nj.gov/dep/dshw/food-waste/donation.html>.
3. Reducing the amount of food waste that you generate to less than 52 tons per year;
 - o visit NJDEP's food waste reduction website for tips and ideas: <https://www.nj.gov/dep/dshw/food-waste/>
4. Determining your distance from the closest Food Waste Recycling facility and, if within 25 road miles, contacting them to determine if they will accept your food waste and at what cost.

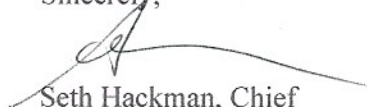
FW Recycling Facility	Address	Phone	Email	Website
Trenton Renewable Power	1600 Lambertson Rd, Trenton, NJ 08611	(609) 777-9210	info@trentonrenewables.com	https://trentonrenewables.com/
Waste Mgmt. Elizabeth CORE	847 Flora St, Elizabeth, NJ 07201	(718) 612-5203	abernar5@wm.com	https://sustainability.wm.com/waste/organics/core.php

5. Providing a point of contact for your establishment so we can update you on food waste reduction and recycling requirements and opportunities.
6. Visit NJDEP's food waste recycling law website at <https://www.nj.gov/dep/dshw/food-waste-recycling-law/> to learn more about this law, how to measure and report food waste, find information about the food waste recycling facilities and the municipalities that fall within a 25-mile radius from them⁶.

The Department plans to follow up with additional information concerning this Law and specific details on implementation in the near future. We ask that you kindly provide a contact for us to reach you regarding these future announcements.

Should you have any questions in the meantime, or to provide an email address for a point of contact, please contact Fredrik Khayati at (609) 984-4250 or reducefoodwaste@dep.nj.gov.

Sincerely,



Seth Hackman, Chief
NJDEP, Bureau of Planning and Licensing

⁶ The radius provided on the website constitutes a 25-mile radius from each facility and is not a road-mile radius as prescribed in the Law. The list of municipalities is for reference only. Generators are required to determine their own distance from authorized Food Waste Recycling facilities to verify their need to comply with the law.

