

# Food Scrap Diversion & Management - Tip Sheet #4

## Permitting Options for Municipal Food Scrap Recovery Programs

### Overview

Any municipality seeking to start a food scrap diversion program (either collection or on site composting) should contact NHDES' Solid Waste Engineering and Permitting Section before getting started. Staff will be able to provide tailored guidance on permitting/regulatory considerations based on the type of program your town envisions. The best way to contact the Solid Waste Engineering and Permitting Section is to email the office at [swmbpermitting@des.nh.gov](mailto:swmbpermitting@des.nh.gov) or call (603) 271-2925.

### Municipal Food Scrap Recovery Program Options & Associated Regulatory Considerations

#### A. Transfer Station Collection & Off-Site Processing (food scrap transported to another facility)

- Existing permitted solid waste transfer station.
  - Contact NHDES Solid Waste Permitting Section to confirm that the existing permit authorizes collection of source-separated food scraps.
    - If yes, update facility operating plan as appropriate.
    - If not, the Permitting Section will advise on options to move forward.
- Food scrap haulers transporting scraps for off-site processing need to [register with NHDES](#).
- **NOTE:** HB300 requires anyone accumulating 1 ton or more per week of food scraps to divert from landfill if an alternative is within 20 miles, starting in 2025.

#### B. Transfer Station Collection & On-Site Processing (food scrap composted at the transfer station)

- Existing permitted SW transfer station with permit-by-notification (permit # starting with DES-SW-PN).
  - May operate a “co-located” composting facility under the existing transfer station permit-by-notification.
  - Must comply with the requirements specified in [Env-SW 407.02\(e\)](#) of the [Solid Waste Rules](#):
    - Provide written notice to NHDES prior to starting composting operation.
    - Update facility operating plan to include provisions for composting food scraps.
    - Comply with the composting operation requirements in [Env-SW 607.02](#) of the [Solid Waste Rules](#) for permit-by-notification “Small Food Waste Composting Facility”.
- Existing permitted solid waste transfer station with a standard permit or another type of permit that is not a permit-by-notification.
  - Apply to obtain a separate permit-by-notification for a “Small Food Waste Composting Facility”, [form available online for download](#) (60 day turnaround for complete applications).
- If a community wants to locate a composting facility on town-owned property that is not on the same site as the transfer station, a separate permit will most likely be necessary. Contact NHDES Solid Waste Engineering and Permitting Section to discuss next steps.

#### C. Community Collection Center - Off Site Processing

- Drop off location at a food co-op, farm, or non-solid waste facility.
  - No solid waste facility permit required to operate a small-scale food scraps drop-off location provided the site complies with the requirements specified in [Env-SW 408.08](#) of the [Solid Waste Rules](#).
  - Enables storage of up to one cubic yard of food scraps at any time (about 40 five-gallon buckets).

#### D. Community Collection Center & On-Site Processing

- The permit-exemption for community composting (see [Env-SW 608.05](#) of the [Solid Waste Rules](#)) allows a farm or community group to start composting at a very small scale without need of a solid waste facility permit.
- Limited to receipt of 5 cubic yards of food scraps within any 30-day period. Other requirements/limitations apply.
- Farms or private businesses may also apply for the “Small Food Waste Composting Facility” permit-by-notification (i.e., this permit option is not just available to towns).

#### E. Curbside Collection by Contracted Food Scraps Hauler (food scrap are picked up at homes and/or businesses)

- Food scrap haulers providing collection services need to [register with NHDES](#).
- Residential curbside services can be procured by the municipality, or by individual households.
- Increased convenience works best in densely populated areas with high community participation.

