

## Permitting Options for a Municipal Food Scrap Diversion Program in New Hampshire

Community-wide food scrap diversion programs need to consider several factors, including:

- How will the food scraps be collected?
- Where will the food scraps be managed?

Collection options typically fall into two categories: **curbside collection** vs. **drop-off at a facility**. This document outlines different drop-off scenarios and their associated permitting/regulatory considerations.

While curbside is an option for communities to consider, setting up a municipally-run curbside collection program may involve significant capital and operating costs.

A drop-off program is often a cost-effective way for municipalities to start diverting food scraps. The scenarios outlined below are organized by whether the collected scraps will be **managed on-site** via composting, or **transferred off-site** to another facility for further management by a third-party composter, anaerobic digester, etc. For complete requirements applicable to the scenarios noted below, please refer to the New Hampshire [Solid Waste Rules](#), as cited.

### Manage On-site

#### Option 1: Municipal Transfer Station with a Permit-by-Notification

A facility with a permit-by-notification (permit # starting with “DES-SW-PN”) may compost food scraps on the transfer station property under the existing facility permit provided that the facility complies with the requirements in [Env-Sw 407.02\(e\)](#) of the [Solid Waste Rules](#), which are:

- Provide written notice to NHDES prior to starting food scrap composting operations.
- Update facility operating plan to include provisions for composting food scraps.
- Comply with requirements in [Env-Sw 607.02](#) of the [Solid Waste Rules](#) for a permit-by-notification “small food waste composting facility.”
- Operate within existing facility capacity and service area limitations.

#### Option 2: Small Food Waste Composting Facility

If a municipality’s existing transfer station does not have a permit-by-notification, they may seek a separate permit-by-notification for a “small food waste composting facility.” This permit type is authorized under [Env-Sw 607.02](#) of the [Solid Waste Rules](#) and is available to public and private entities.

- A municipality may opt to co-locate the composting facility at an existing transfer station (if space allows), or the composting facility can be located at another site.
- May receive up to 10 tons of food scraps per day; service area can be limited to town-only or unlimited service area.
- The permit application can be downloaded from the [NHDES website](#).
- This permit type is also available to farms and private businesses that wish to operate private/for-profit food scrap composting facilities.

### **Option 3: Permit-Exempt Community Composting Facility**

A permit exemption in [Env-Sw 608.05](#) of the [Solid Waste Rules](#) allows collection and composting of food scraps at a small scale without the need for a solid waste facility permit. This exemption is intended for local organizations, such as community gardens or farms, and may be a good option for starting a pilot project or composting at a neighborhood scale.

- Limited to receipt of 5 cubic yards of food scraps within any 30-day period. This equates to two-hundred 5-gallon buckets or fifteen 64-gallon totes.
- Total footprint of active composting area may not exceed 600 square feet.
- Composting process follows best management practices consistent with the *Institute for Local Self-Reliance* [Community Composting Done Right: A Guide to BMPs](#).

## **Transfer Off-site**

### **Option 1: Municipal Transfer Station Drop-off**

An existing municipal transfer station can collect food scraps and have them transferred off-site for management at another facility authorized to compost or otherwise manage food scraps.

- Contact the NHDES Solid Waste Permitting & Engineering Section (contact information below) to check if collection of source-separated food scraps is authorized under the facility's permit. If not, NHDES permitting staff will advise how to proceed.
- Update facility operating plan as appropriate.

### **Option 2: Permit-Exempt Community Drop-off**

A permit exemption in [Env-Sw 408.08](#) of the [Solid Waste Rules](#) allows for small-scale "Food Waste Drop-Off Facilities," where food scraps can be collected and temporarily stored without the need for a solid waste facility permit. This option would allow other municipal facilities, besides the transfer station, and community centers, such as food co-ops, to serve as drop-off locations.

- Store up to 1 cubic yard of food scraps at a time. This equates to forty 5-gallon buckets or three 64-gallon totes.
- Food scraps may remain in storage for no longer than 7 days before being transported off-site.
- Other requirements apply related to preventing nuisance conditions.

## **Contact NHDES With Questions**

Although this document outlines the most common scenarios for collection and management of food scraps, there may be other scenarios and applicable permitting requirements. For tailored guidance based on your specific circumstances, please contact the NHDES Solid Waste Permitting & Engineering Section at (603) 271-2925 or [swmbpermitting@des.nh.gov](mailto:swmbpermitting@des.nh.gov).