

**Comments on Tennessee Volunteer Emission Reduction Strategy's
Comprehensive Climate Action Plan
Environmental Law Institute
September 2024**

The Environmental Law Institute (ELI) is an internationally recognized non-partisan research, publishing, and education center working to strengthen environmental protection by improving law and governance worldwide. ELI's Food Waste Initiative strives to help stakeholders meet the U.S. food loss and waste goals by helping to design and implement public policies and public-private initiatives to prevent food waste, increase donations of surplus food, and expand food scrap recycling. For example, ELI collaborates with NRDC (Natural Resources Defense Council) and Urban Green Lab on the Nashville Food Waste Initiative (NFWI), which develops local strategies and tools to prevent food waste, rescue surplus food, and recycle food scraps on the ground in Nashville. ELI's comments draw on these experiences.

Pursuant to a request from Tennessee Department of Environment and Conservation (TDEC) for input from stakeholders and the public about emission reduction priorities, actions, and goals to support the Comprehensive Climate Action Plan (CCAP), ELI is pleased to submit the following comments.

ELI encourages TDEC to evaluate whether the measures listed below should be included in the CCAP. The measures fall into four categories, which mostly concern organic waste: Solid Waste Management Policies, Permitting for Processing Facilities, Incentives, and Education & Outreach.

ELI would welcome the opportunity to provide additional information about any of the measures that are listed. In addition, model food waste ordinances and policies that ELI produced in collaboration with the NRDC are linked at the bottom of the document.

Solid Waste Management Policies

- Institute comprehensive pay-as-you-throw (or save-as-you-throw) waste collection practices.
- Require that waste haulers offer food scrap collection in order to receive a collection permit.
- Impose mandatory diversion requirements on large food scrap generators.
- Amend building codes to require space for organics collection bins.
- Encourage municipalities to establish franchise zones for waste collection, while making sure compost collection and other forms of recycling are available to residents.

Permitting for Processing Facilities

- Streamline permitting processes for new organics processing facilities.
- Encourage increased reliance on TDEC's annual permit maintenance fee waiver for waste processing facilities that recycle 75% or more of materials.
- Increase coordination among TDEC permitting programs to make the permitting process easier on prospective organic waste processors, e.g., through an ombudsman position.
- Reduce permitting and other regulatory burdens for small-scale composting facilities, such as community composting projects.

Incentives

- Expand or create subsidies, grants, or loans for organics haulers and processors.
- Create financial or public recognition incentives for generators that recycle food scraps.
- Adopt a procurement policy that requires or encourages government agencies and/or commercial construction businesses to use finished compost products as soil amendments in construction and landscaping projects.

Education & Outreach

- Develop materials to encourage participation in food scrap recycling that highlight the benefits of recycling food scraps and provide practical guidance. Potential audiences and products include—
 - Generators: Videos, manuals, and workshops delivered through industry trade associations, state agencies, nonprofits, and haulers.
 - Teachers and students: Additional curricula for teachers and activities for students on food scrap recycling.
 - General public: Programs hosted by nonprofits to increase public awareness of and interest in food scrap recycling.

Additional Resources: ELI/NRDC Model Governance Tools

- [Model Municipal Zoning Ordinance on Community Composting](#) (June 2024)
- [Model Ordinance Establishing a Pay-As-You-Throw Program for Residential Municipal Solid Waste](#) (November 2023)
- [Model Executive Order on Municipal Leadership on Food Waste Reduction](#) (July 2023)
- [Model Ordinance on Mandatory Reporting for Large Food Waste Generators](#) (July 2022)

- [Model Compost Procurement Policy](#) (July 2021)