

Food Scrap Composting Laws Illinois

While Illinois has had a landfill ban on yard waste since the 1990's, it has been slow to adopt food scrap composting.



Illinois has always exempted on site composting from permitting. These are sites where the waste is generated on site, the composting happens on site, and the end product is used on site. These sites are subject to local ordinances.

Large Commercial Food Scrap Composting

Prior to 2009, there were NO commercial food scrap composting facilities in Illinois.

In 2009, SB99 or Public Act 96-0418 was signed into law exempting these facilities from local siting. Local siting is an expensive and burdensome part of the permitting process for pollution control facilities for landfills and other hazardous waste management sites.



It is still difficult to determine which composting sites accept food scrap in Illinois because of IEPA reporting, but there are now over a dozen permitted commercial food scrap composting sites in Illinois.

Farm and Garden Composting

Facilities In 2013, permit exemptions for small composting facilities were expanded. HB2335 and HB3319 accomplished the following:



- Expanded the materials that rural farms could accept without a permit, including food scrap.
- Expanded the “garden compost operations” to be up to 25 cubic yards and accept off site food scrap.
- Allowed urban farms to have the same permit exemption as rural farms.

Infrastructure

- **Permanent and temporary drop offs for food scrap - HB437 -** This law from 2015 created new options for temporary and permanent drop offs of food scraps and landscape waste.
- **Pilot program for food scrap to be permitted at landscape waste transfer stations** was passed by the legislature This currently includes waste transfer stations in Elgin, Stickney, and Lake County.

Use of End Product

Use of end product is critical to creating a successful economic environment for food scrap composting. In 2009, Illinois passed a law requiring compost's use in landscape projects (but there are numerous loopholes) and in 2015, a law was passed to require reporting on the use of compost.

Consumer Upgrades

In 2015, a law was passed to update Illinois's support of labeling requirements to seek a national compost label. In 2016, contracts that prohibit food donation were outlawed for schools and agencies.