

Overview and Benefits of SB2852 (Food Recovery and Diversion)



Illinois' current food management system is woefully antiquated and wasteful. Approximately **one-third** of our food is sent to landfills, where it slowly rots without oxygen and converts to methane through anaerobic decomposition. SB2852 addresses these economic and environmental problems in a pragmatic, cost-sensitive manner. SB2852 will divert millions of pounds of food every year for human and animal consumption and significantly reduce the amount of methane produced by landfills in the State.

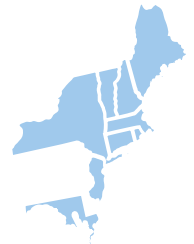
Why Is SB2852 Important for Illinois?

- ▶ **Wasted food is wasted money.** According to ReFED, across the supply chain, Illinois generated 2.85 million tons of surplus food valued at \$17.6 billion dollars in 2023. The average family of four wastes nearly \$3,000 per year on food that goes uneaten and is overwhelmingly landfilled.
- ▶ **Food insecurity is a significant problem.** According to Feeding America, 1 in 8 Illinoisans is food insecure, and 1 in 6 children is food insecure. The equivalent of 4.6 billion meals go unsold and/or uneaten in IL each year. Food insecurity has a host of negative health, psychological, and productivity concerns, which could be alleviated by better management and redistribution of surplus foods.
- ▶ **Food scraps are the largest single waste stream in landfills.** According to IEPA, food scraps are approximately 20% of the 19 million tons of landfilled waste per year in Illinois.
- ▶ **Food scraps are responsible for generating the majority of landfill methane emissions.** A recent US EPA report found that food scraps in landfills contribute 58% of all landfill methane emissions. Methane, a greenhouse gas, is more than 80 times more harmful than carbon dioxide over a 20-year period.
- ▶ **The Chicago Metro Region has a landfill capacity shortage.** The IEPA's 2024 annual report on landfill capacity reported that the Chicago Metropolitan Area has 9 years of landfill capacity, with statewide capacity being 32 years. Diverting food and food scraps from our waste stream would make a significant impact on extending the life of existing landfills. As landfill capacity becomes scarcer, the cost of landfilling will increase due to supply and demand.
- ▶ **Our farmland soil can be enhanced and improved.** According to the Illinois Department of Agriculture, 75% of land area in Illinois is farmland. Diverting food scraps to aerobic decomposition (producing compost) and anaerobic digestion (producing digestate) rather than landfill will increase the availability of soil amendments. Compost reduces soil erosion, improves soil water retention, reduces the need for synthetic fertilizers, increases organic material in soils, and increases soil's ability to sequester carbon and help combat climate change.
- ▶ **SB2852 will create a circular economy for food and food scraps.** Illinois recognized in 1990 that yard waste did not belong in landfills and banned it from landfill disposal. Edible food and food scraps do not belong in landfills either; SB2852 is the logical extension of the law enacted in 1990. Food rescue is best achieved at the local level, and SB2852 will create an incentive for large generators, such as grocery stores and restaurants, to bring food back into the local economy and feed people and animals. For inedible food, compost facilities will be an important outlet and are available today; as a result of the 1990 law, approximately 40 permitted compost sites are operating throughout the State, managing over 500,000 tons per year of yard waste.

What Have Been the Experiences of States with Similar Laws?

Eleven states have food scrap diversion laws:

California, Connecticut, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, Vermont, and Washington



In **New York**, food donation increased by 60%, and food scrap recycling increased by 529% in the first year of enactment of the Food Donation and Food Scraps Recycling Law (2021 to 2022).



Vermont's diversion law started with the largest generators in 2014 and, as of 2020, applies to all residents and businesses. Disposed food scraps dropped 13% from 2018 to 2023. Food donations also tripled between 2014 and 2017 from approximately 1,500 tons per year to nearly 4,500 tons per year.

In **Massachusetts**, food scrap managed by organics haulers and processors increased 6 to 8 times after the food waste diversion mandate went into effect. Food recovery organizations also saw an increase in donations, peaking one year after the mandate and slowly decreasing afterwards (possibly reflecting a shift in surplus food management practices such as reducing the amount of food purchased).

What Are the Cost Impacts of SB2852?

► **SB2852 will have little to no impact on existing disposal costs for businesses, institutions, and residents.** The cost to landfill food scraps in Illinois is approximately \$49 to \$53 per ton, and the cost to take food scraps to a compost site is \$28 to \$50 per ton (see fig. 1).

► **Businesses and institutions can significantly reduce their costs for disposal of food and food scraps** by establishing a food and food scrap management hierarchy that incentivizes reducing food waste at the source and encouraging food donation to feed people and animals.

► **Large generators are not expected to absorb the cost and operational impact of separating inedible food from its packaging.** The bill encourages the development of food scrap processing facilities including de-packaging operations to mitigate generator impacts.

► **The majority of Vermont food retail and food service businesses surveyed did not experience a cost increase due to Vermont's law**, according to a 2023 University of Vermont study: Out of 50 business owners, 26% reported a positive impact on operating costs, 42% said there was no impact on their operating costs, and only 32% reported a negative operating cost impact (see fig. 2).

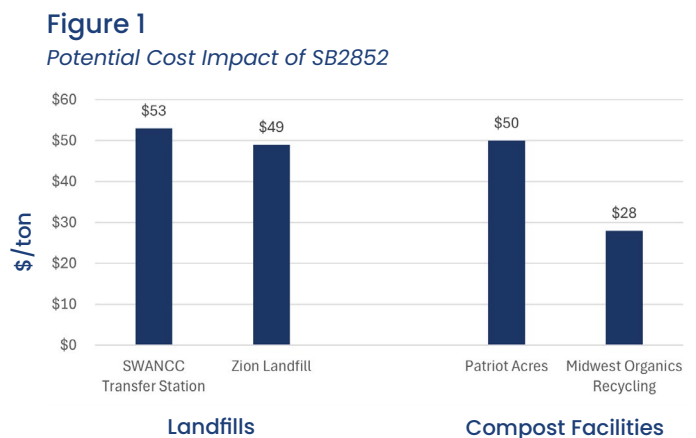
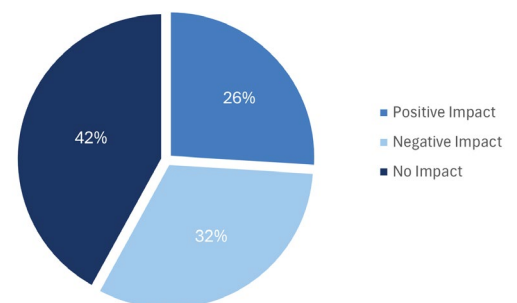


Figure 2
Study by University of Vermont on Impact of Vermont Law



SB2852 Will Create Jobs and Infrastructure

- ▶ **Composting in Illinois employs 5 times more workers than landfilling on a per-ton basis**, according to a 2016 market study report on food scrap composting in Illinois prepared by Skumatz Economic Research Associates, Inc.
- ▶ **Revenue from composting stimulates more economic activity than revenue from landfilling.** According to the Skumatz report, every \$10 million in revenue gained by the composting industry in Illinois returns \$21-\$22 million to the state economy, whereas landfilling only returns \$10.9 million to the state economy.
- ▶ **Food diversion laws create jobs.** Massachusetts haulers, food recovery organizations, and organic waste processors (i.e., compost and anaerobic digestion facilities) collectively saw a 150% job growth rate in the first two years of their law going into effect.
- ▶ **Food diversion laws stimulate investment in infrastructure.** Massachusetts organic waste haulers and processors reported significant planned investments in facilities and equipment two years after their law went into effect.

Related Existing Laws in Illinois

- Illinois has banned landscape waste from entering the landfill since 1990 (Public Act 85-1430).
- As of January 1, 2025, large event facilities must offer recycling and organic waste collection containers across their property per the Large Event Recycling and Composting Law (Public Act 103-0927). The law's requirement to offer organic waste disposal containers within large event facilities is complementary to SB2852's requirement to manage food and food scraps in accordance with a new circular system.

The Cost of Doing Nothing

- ▶ Illinois will continue to waste \$17.6 billion in valuable food - equivalent to 4.6 billion meals - every year.
- ▶ 1.6 million Illinois residents, of which a significant number are children, will continue to be food insecure.
- ▶ Illinois will emit increasing amounts of landfill methane with continued landfilling of food and food scraps. Illinois landfills are the 9th largest emitters in the country according to an analysis by Industrious Labs in 2022, emitting 9,425,000 metric tons of CO₂e (a metric used to compare the climate impact of different greenhouse gases). According to USEPA, food scraps generate 58% of landfill methane emissions, the most of any waste stream entering our landfills

In Conclusion

SB2852 will feed people and animals, reduce waste, and directly impact reducing methane emissions by removing this source of methane generation from landfills. SB2852 is a common-sense policy that creates a new future for Illinois: it protects our economy, our environment, and the health of the people who call Illinois home.

Contact Us

support@feedandconserveil.org



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