



Department of
Environmental
Conservation

Updates from NYS Department of Environmental Conservation

Kristine Ellsworth

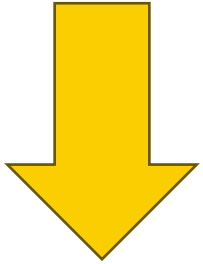
June 9, 2026



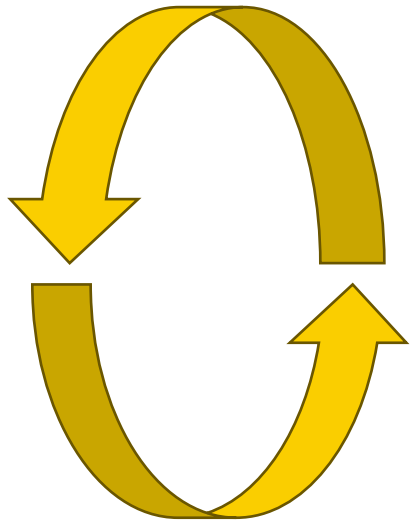


Thank You For Welcoming Us

Why is DEC Here?



Decrease wasted food going to landfills
Decrease methane emissions, increase landfill capacity



Reduce wasted food
Redirect edible food to donation
Recycle food scraps

NYS Department of Environmental Conservation Organics Reduction & Recycling Section

Regulate and promote the diversion of organics (wasted food, yard trimmings, biosolids, food processing waste, etc.) from disposal to beneficial uses.

- Regulatory Oversight & Technical Assistance
- Policy Implementation & Legislative Advocacy
- Contracts and Research
- Funding Programs
- Outreach & Education

The Organics Reduction & Recycling Team
(based in Albany, NY)

- Molly Trembley (Section Supervisor)
- Jesalyn Claeys
- Kristine Ellsworth
- Nasibah Elmi
- Miranda Wolf



DEC Regional Staff

- Inspections (DFSGs, facilities, etc.)
- Authorization of registrations and permits
- Questions, Complaints
- Site-specific questions



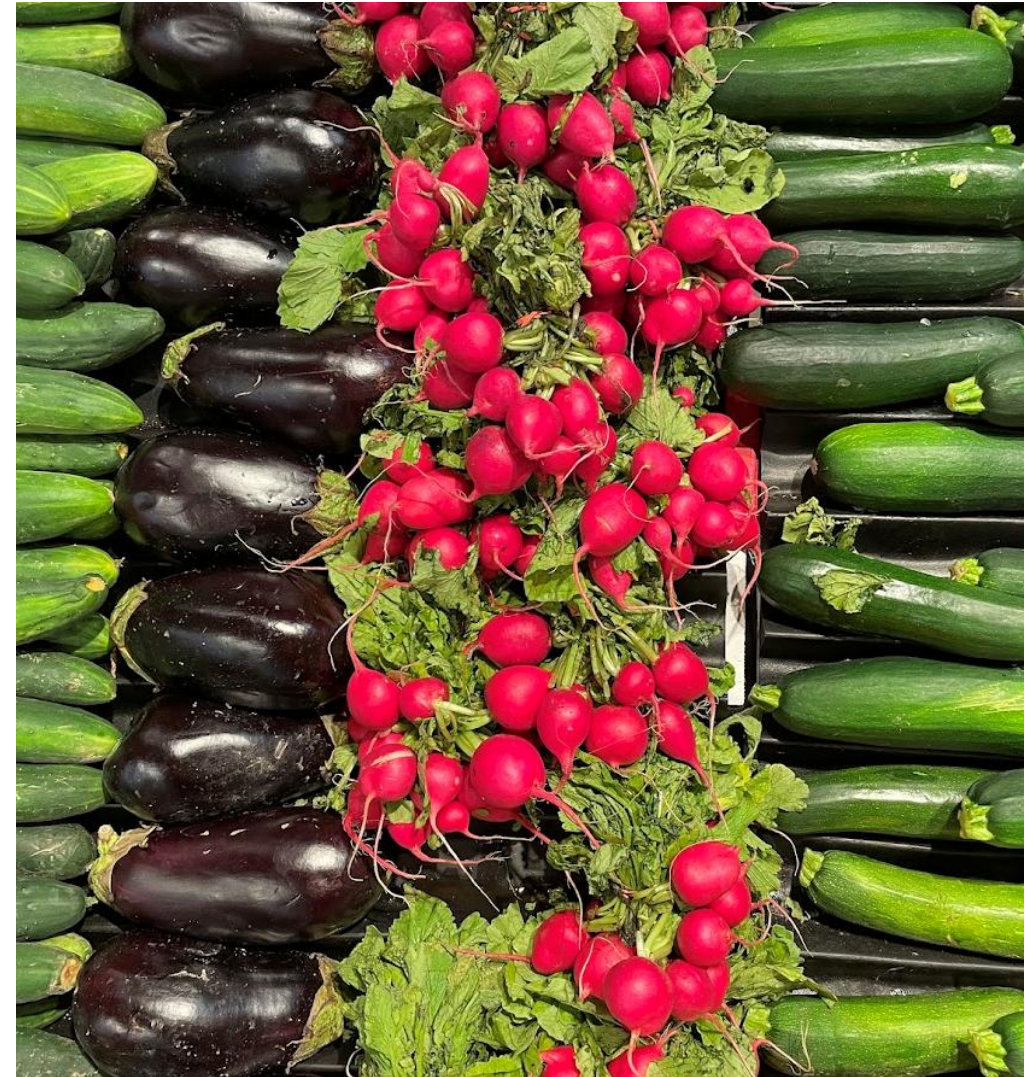
Food Donation and Food Scraps Recycling Law

As of January 1, 2022, businesses and institutions that generate an annual average of 2 tons of waste food per week or more must...

1. Donate excess edible food to the maximum extent practicable; and
2. Recycle all remaining food scraps if they are within 25 miles of an organics recycler with capacity.

Exclusions:

- Hospitals
- Nursing homes
- Adult care facilities
- K-12 schools
- NYC ([local law 146](#))
- Generators served by a mixed waste recycler (Delaware County)



Designated Food Scraps Generators

Year	Number of Establishments Required to Comply	Required to Donate	Required to Recycle
2022	874	874	284
2023	1,021	1,021	375
2024	1,079	1,079	425
2025	1,055	1,055	484
2026	1,047	1,047	475

How it's been going...

For 2023 reporting year, overall 69% annual report response rate (707 of 1,023)

11 waivers issued
(most related to cost barriers)

Food Donation INCREASED

- 2022: 19,894,108 pounds
- 2023: 29,793,530 pounds

Largest contributing sectors:

- Colleges/universities
- Grocery
- Supercenters

Sector	DFSGs Required to Donate	DFSGs That Submitted Annual Reports	DFSGs That Reported Donation Programs	Percent of DFSGs That Reported Donation Programs*	Pounds Donated
Colleges and universities	63	45	45	71%	203,845
Correctional facilities and jails	23	16	3	13%	25,301
Grocery and specialty food	425	391	377	89%	22,317,072
Hospitality	64	22	6	9%	7,786
Restaurants	250	103	44	18%	61,950
Supercenters	72	72	65	90%	4,528,645
Amusement and theme parks	7	5	5	71%	10,286
Casinos and racetracks	9	7	3	33%	11,681
Malls	26	5	1	4%	800
Military bases	1	1	1	100%	27,055
Sporting venues	3	3	2	66%	3,928
Wholesale and distribution	80	37	19	24%	2,595,181
TOTAL	1,023	707	571	56%	29,793,530

How it's been going...

Food Scraps Recycling INCREASED at DFSGs that are required to recycle

- 2022: 56,614 tons
- 2023: 73,288 tons



Sector	DFSGs Required to Recycle Food Scraps	DFSGs That Submitted Annual Reports	DFSGs That Reported a Food Scraps Recycling Program	Percent of DFSGs That Reported a Food Scraps Recycling Program	Tons Recycled
Colleges and universities	33	21	20	61%	2,967
Correctional facilities and jails	9	6	4	44%	320
Grocery and specialty food	177	157	155	88%	17,479
Hospitality	27	10	3	11%	386
Restaurants	90	37	8	9%	1,318
Supercenters	35	35	34	97%	3,640

Fun fact: 255 DFSGs that were NOT required to recycle under the law reported having a food scraps recycling program in 2023.

Lessons learned... and still learning!

- High compliance – food retail, colleges & universities
- Highest diversion – food retail
- Food donation – big success, early wins
- Food dumping was a concern early on, but did not end up being an issue
- Food scraps recycling infrastructure is still developing – chicken / egg / capacity

Next Frontier: Prepared Foods

Enforcement Status

- Spot inspections are being performed by DEC regional staff (~50 per year)
 - Focused on large generators, those required to donate + recycle, and non-reporters
- Annual report reviews
- Technical assistance contractors helping DFSGs and recyclers

WAIVER [PETITION](#)

One-year waiver option included in legislation (with approval from DEC)

~10 waivers approved each year





Law is Expanding!

January 1, 2027

- Generators producing **1 ton** or more of food scraps (per week)
 - Add ~1,500 businesses
 - 2027 DFSGs: ~2,500 total (*releasing soon!*)
- Recycling requirement increasing from 25 miles to **50 miles**

January 1, 2029

- Generators producing **½ ton** or more of food scraps (per week)
 - Add another ~2,000 businesses

2027 DFSG List – Quick Stats

- Food Retail – 464 businesses
 - Grocery
 - Supercenters
- Wholesale & Distribution - 283
- Food Service - 525
- New DFSG Categories
 - Food Processors - 134
 - Airports
 - Convention & Trade Show

Adding ~1,500
businesses

Preparing for the law's expansion

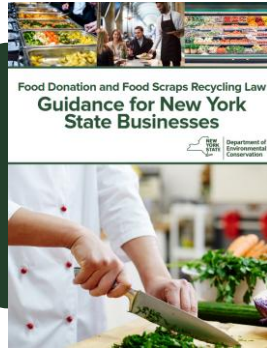
NYSDEC actions

- Revising Part 350 Regulations
- Informational Webinars
- Presentations to food retail and food service industries and associations
- Continuation of Feeding NYS food donation technical assistance
- Continuation of Rethink Food Waste NY program for direct technical assistance

Strong focus on outreach and education

- Replicating success found in existing food retail programs with smaller chain stores (<2 tons/week)
- Expanding donation (quantity and types) at businesses with existing programs
- Continuing to support businesses with updated resources and state-funded assistance programs

DFSG Law RESOURCES

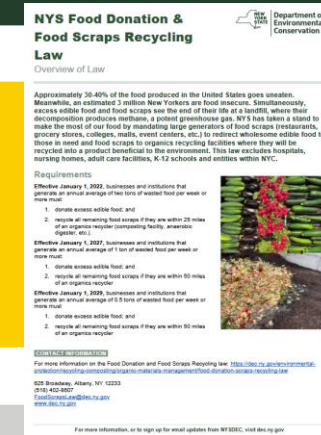


Guidance for NYS Businesses

Overview of law and requirements, plus best management practices, on DEC website.



Overview of Law (English and Spanish)



Food Waste Estimator Tool

Estimate food scraps generation rates based on business sector on [P2I's website](#).

Contact DEC If....

- If you're having issues with a donor who is required to donate under the law
- A business is “food dumping”
- You believe a business is missing from the list
 - All other locations in chain included
- A business has closed or been sold

Contact FoodScrapsLaw@dec.ny.gov



Funding Food Donation Work

History of Funding Donation Efforts through Feeding NYS



\$800K

Feeding NYS - Funding for staffing and outreach and education needs at the 10 regional food banks.



**\$1.5
MILLION**

Feeding NYS - Funding to assist in COVID-19 relief, specifically with the movement of dairy and product from New York State farmers to food banks.



\$500K

Feeding NYS - Call Center and Kick Off Food Recovery Program to Support Law

History of Funding Donation Efforts through Feeding NYS



**\$2
MILLION**

Feeding NYS - Funding for staffing and outreach and education needs at the 10 regional food banks.



**\$6
MILLION**

Current contract with Feeding NYS



2022 – 2026 Totals

**~98 million
new lbs
donated**

Feeding NYS – Current Contract - \$6 Million (2025 – 2028)

- Staff at Feeding NYS to assist with food recovery support of businesses required to comply with the law
 - Direct assistance to businesses
 - Enhancing food bank and donor connections
 - Review DFSG lists with food banks to identify opportunities
- Support for Food Banks – Administer Food Recovery Grant Program

Items to Note

- Monthly meetings – pass along issues or concerns
- Prepared foods will be a focus area moving forward

History of Funding Local Food Relief Organizations



**\$1
MILLION**

Funding awarded to 84 organizations to increase the amount of whole food to those in need (staffing & equipment)



**\$2.25
MILLION**

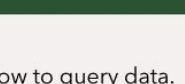
Funding awarded to 44 organizations to assist with purchasing equipment (trucks, refrigerated vehicles, freezers, refrigerators, etc.)



**\$5
MILLION**

Funding awarded to 97 organizations to assist with purchasing equipment (trucks, refrigerated vehicles, freezers, refrigerators, emergency generators, etc.)

NEW -- DMM Grant Portal



Division of Materials Management Grant Portal

Last Updated April 2024

[About this Portal](#)

Query Data

- Apply the filters below to query data.
- Queries will update the map and data tables

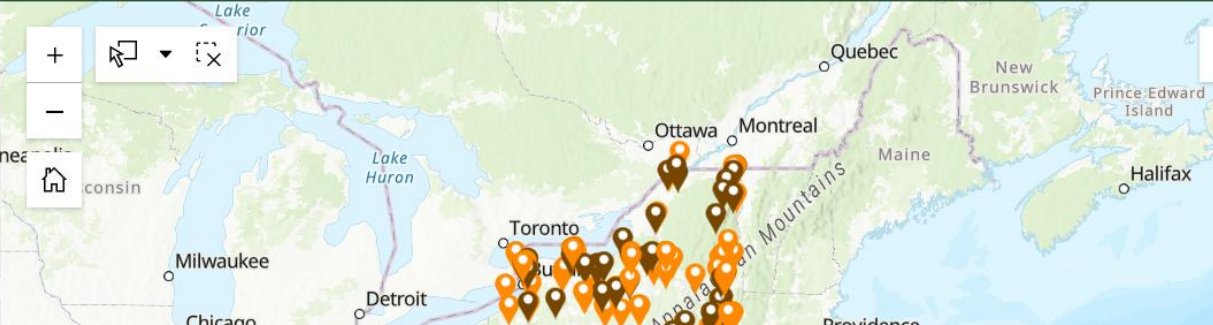
☒ Grant Program Year

☒ Grant Program

☒ County

☒ Disadvantaged Communities (DAC)

☐ Potential Environmental Justice



Selected features: 0

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Grant Award Locations

- 📍 Local Emergency Food Relief Equipment
- 📍 Municipal Food Scraps Recycling Initiatives

Grant Award Locations

Applicant Name	Award Amount	Project Description	City	County	DEC Region	DAC
A Meal and More	15,000.00	A Meal and More will use t...	Rochester	Monroe	8	Yes
ACT Care Foundation Inc	80,000.00	ACT Care Foundation, Inc ...	Staten Island	Richmond	2	No

[View Map](#)

26/27 NYS Budget Wins

DEC - \$6,000,000

Funding for municipalities and not-for-profits for projects for food donation and the recycling of food scraps

Dormitory Authority of the State of New York (DASNY) - \$10,000,000

NY PLATES – Funding to organizations that provide food relief services, including, but not limited to not-for-profits, food banks, food pantries.....



Upcoming DEC Grant Programs

Food Donation

- Food relief organizations (not-for-profits, excluding food banks) and municipalities
- Historically
 - 25% match
 - Minimum of \$1,000 and maximum of \$100,000
 - Focused on cold storage and transportation

Food Scraps Recycling

- Not-for-profits and municipalities
 - Food banks interested in recycling food scraps





**WANT TO RECYCLE YOUR
FOOD SCRAPS?!**

WE DO THAT TOO!

Contact
OrganicRecycling@dec.ny.gov

Discussion

- Thoughts/feedback on the law expanding? Positive or negative?
- Any unexpected side effects due to the law?
- What is grant funding needed for (no purchasing of food)?
 - Food Banks
 - Member Agencies
- How can we better assist member agencies with the grant process?
- Topics DEC should understand better?
- Events DEC should be attending?
- Other ways DEC can be of assistance?



Questions?

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Conservation

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[Sign up for DEC Delivers Solid Waste and
Recycling Newsletter](#)



Department of Environmental Conservation