

Guidance on Cannabis Waste Management Requirements

Approved by the Commission: April 4, 2019

This guidance is not legal advice. It was created with the intent to assist Marijuana Establishments to handle waste disposal effectively and in accordance with state laws and regulations. Please consult an attorney if you have any questions regarding the legal requirements that apply to waste disposal.

Managing Solid Waste Materials

Like any other business, Marijuana Establishments generate a variety of common waste materials. While some materials need to be disposed of in the trash, others should be recycled or composted. Massachusetts has waste disposal ban regulations (310 CMR 19.017, available at <https://www.mass.gov/regulations/310-CMR-19000-solid-waste-facility-regulations>) that ban the disposal of certain materials in the trash. Commonly-generated waste that is banned from disposal include cardboard, bottles and cans, paper, and leaves and yard waste. You can see more information on the waste bans and what materials are banned from disposal at <https://www.mass.gov/regulations/310-CMR-19000-solid-waste-facility-regulations>. Under the waste ban regulations, the Massachusetts Department of Environmental Protection (MassDEP) considers cannabis plant material to be “commercial organic material.” This material is banned from disposal in the trash if a business generates one ton or more per week for disposal. If a Marijuana Establishment generates 1 ton or more of commercial organic material per week for disposal, it would need to divert this material from disposal, typically to a compost or anaerobic digestion operation. If a Marijuana Establishment generates less than 1 ton of plant material per week, the material may be disposed of in the trash, although MassDEP still encourages this material to be composted where possible.

Composting or Anaerobic Digestion

According to 935 CMR 500.105(12) cannabis plant parts and associated materials sent for composting or anaerobic digestion (AD) must first be ground and mixed with other organic materials such that the cannabis material is rendered unusable. Other organic materials may include growing media, soil, mulch, food waste, or agricultural material such as manure or other plant materials.

There are no unique requirements for hauling this material to a compost or anaerobic digestion facility. MassDEP does not license or grant permits to waste haulers. The best place to start is to check with the haulers that currently services businesses in the area, though ideally a



marijuana establishment should work with a hauler that has experience hauling other similar organic materials. If you need to find a new hauler, you can search for haulers by material type and location at [Recycling Works Massachusetts](#).

Once on the webpage, select the material type “Food-Waste/Compostables” for cannabis plant materials. (Note: you can also use this webpage to search for recycling service providers.) A hauler can help you determine which facility to deliver your material to, as well as the number and size of containers you need to meet your needs. You can also search for compost or AD facilities that can accept that material using that same link, or by referring to MassDEP’s list of [sites accepting diverted food material](#).

On-site Composting: In some cases, it may work well for a Marijuana Establishment to compost materials on site. Composting on site requires sufficient space to construct and maintain a compost pile, as well as additional materials to mix with cannabis plant material to compost successfully. For general guidance on composting practices, please refer to the Massachusetts Department of Agricultural Resources [Composting Guidebook](#). Under MassDEP’s regulations, a business can compost up to 20 cubic yards of material per week on site, but must complete and submit a [one-time notification form](#) to MassDEP and your local Board of Health. If you are interested in composting on site, you can receive free assistance and guidance through the RecyclingWorks in Massachusetts [Compost Site Technical Assistance Program](#).

Solid Waste Disposal: The requirements under 935 CMR 500.105(12) for disposing of cannabis wastes are similar to those for sending it to composting or anaerobic digestion. The cannabis waste must be ground and mixed with other solid wastes so that the material is rendered unusable. Suitable materials for mixing cannabis wastes for disposal include food waste, coffee grounds, manure, sawdust, or growing media. The best approach is to work with your existing waste hauler to provide this collection service. Cannabis wastes mixed with other solid waste can be brought to any permitted [transfer station](#), [landfill](#), or [municipal waste combustion facility](#) for disposal. Your solid waste hauler will typically determine the best nearby facility to deliver the waste to for disposal. A hauler can also help you determine what number and size of containers you need to meet your needs.

Storage, Documentation, and Recordkeeping: cannabis wastes should be stored in a secure and locked container and location prior to collection. Under 935 CMR 500.105(12), at least two Marijuana Establishment agents must witness and document how the marijuana waste is handled. The same regulation requires your business to develop and maintain records for at least three years that include:

- How the cannabis waste is secured prior to collection;
- The date the material is sent for composting, anaerobic digestion, or disposal;
- The type and amount of material managed;
- The name, location and type of facility to which the material was delivered;
 - (The facility can provide a scale or load ticket that includes all of this information.)
- The manner of disposal or handling; and



- The names and signatures of the two agents who witness the material management.

This three-year period is extended for the duration of any enforcement action and also may be extended by an order of the Commission.

Hazardous Waste Management: Marijuana Establishments may also generate some wastes that need to be managed as hazardous wastes. This may include: spent lighting, pesticides, solvents, used oil, or other chemicals used in facility operation and maintenance.

Massachusetts hazardous waste regulations ([314 CMR 30.000](#)) include provisions governing storage (how much material and for how long), labeling, manifest, transportation, and final management and disposal. If you generate hazardous waste, you will need an [EPA ID](#). Your [hazardous waste generator status](#) determines how much waste you may accumulate at your site at one time, and how quickly you need to ship it off site for recycling or disposal. Please see the MassDEP Hazardous Waste Generation [web page](#) for more information and guidance.

Managing Liquid Wastes: Liquid waste containing marijuana or by-products of marijuana processing shall be disposed of in compliance with all applicable state and federal requirements. These requirements will depend on how liquid waste from a facility is being managed, whether discharged via a sewer connection, holding tank, or to groundwater or surface water. For more information on the applicable regulations and points of contact for each, please see the links in the Regulation Links and Contacts section below.

Packaging: It is recommended that recyclable and compostable packaging be used for marijuana products. Existing resources relative to packaging include the following:

- For recycling, MassDEP maintains a website with educational guidance: www.RecycleSmartMA.Org. This website summarizes what types of packaging are recyclable at our recycling facilities. For general guidance, see <https://recyclesmartma.org/smart-recycling-guide>. For more specific questions, you can search the “recyclopedia” using the search bar at the top of the page.
- For compostable packaging, search the internet for organizations that certify compostable packaging. Specifications relative to labeling are available at:
 - <https://www.astm.org/Standards/D6400.htm>
 - <https://www.astm.org/Standards/D6868.htm>



Regulation Links & Contacts

For any facility-specific permitting questions, please contact your MassDEP regional office. You can find which MassDEP region you are in using [MassDEPs list of environmental protection locations](#). Links to relevant regulations are as follows:

[Massachusetts Waste Ban Regulations](#) – 310 CMR 19.017

[Massachusetts Hazardous Waste Regulations](#) - 314 CMR 30.000

[Surface Water Discharge Permit Program](#) – 314 CMR 3.00

[Groundwater Discharge Program](#) –314 CMR 5.00

[Operation, Maintenance and Pretreatment Standards for Wastewater Treatment Works](#) – 314 CMR 12.00

[Sewer System Extension and Connection Permit Program](#) – 314 CMR 7.00

[Industrial Wastewater Holding Tanks and Containers](#) – 314 CMR 18.00

Other Resources

For assistance with recycling, running a compost operation, and solid waste management, please contact the RecyclingWorks in Massachusetts Program at (888) 254-5525, by email at Info@RecyclingWorksMA.com, or visit the program website at www.RecyclingWorksMA.com. RecyclingWorks in Massachusetts is funded by MassDEP and administered under contract with MassDEP by the Center for EcoTechnology. The program provides free assistance to Massachusetts businesses on waste reduction, recycling, composting, and best management practices.

Questions?

If you have additional questions, please contact the Commission at (617) 701-8400 or CannabisCommission@Mass.Gov.

