



Part 115 Composting Rules

Department of Environmental Quality

Waste and Hazardous Material Division

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Today we will:

- Briefly discuss the current composting laws and rules
- Identify the main reasons for amending the composting rules
- Identify the main themes to be addressed in the **proposed rules** (location and operational requirements, isolation distances, volumes, records, reporting, etc.)
- Proceed issue-by-issue through the rules



Composting of Organic Materials

Summary of current requirements:

Yard clippings must be managed according to section 21 of Part 115 Solid Waste Regulations:

- registration, location requirements, monitoring, reporting.

“Source separated material” as defined in Part 115 (324.11506(6)) and other material exempt from the definition of solid waste do not have any substantial requirements for composting:

- No permit, No license, No notification, No location restrictions.

Other compostable material that is not exempt from the definition of solid waste must obtain a solid waste processing license or petition to exempt the material from the definition of solid waste. (Rule 118)



Composting of Organic Materials

Why amend the current rules?

- Bring requirements for composting items like food waste up to a similar level of regulation as yard clippings so that potential environmental impacts from composting facilities will be minimized.
- Provide a starting point for local units of government to regulate composting activities in their communities.
- Provide guidance from state regulations regarding acceptable practices for composting organic material.
- Provide an understandable framework for obtaining approval to compost materials currently defined as solid waste.



Composting of Organic Materials

Issues that are address in the proposed rule amendments:

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| <ul style="list-style-type: none">• Notification• Registration/application• Registration fee• Location restrictions• Compost use restrictions• Violations of NREPA• Volume limitation• Nuisance• Local zoning• Speculative accumulation• Foreign matter in incoming material | <ul style="list-style-type: none">• Foreign matter in finished compost• Bags• Water management• Waste removed from compost• C:N ratio• Control of vectors• Records• Testing• Compost plan requirements• Anaerobic composting??• Farm compost and use• Classification• Labeling |
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First, a few definitions....



RULE 102

- (f) “Class 1 compostable material” means wood, garbage, paper products, manures other than organic waste generated in the production of livestock and poultry, compostable products, dead animals not managed under the bodies of dead animals act, spent grain from breweries, fish wastes, sugar beet limes, drywall, or other materials approved by the department under R 299.4121i. Additionally class 1 compostable materials include food processing residuals, aquatic plants, wood ash, lime from a kraft paper process prior to bleaching, managed in a manner other than that described in Section 324.11506(g) of the act. A mixture of any of these materials or a mixture of these materials and organic waste generated in the production of livestock and poultry is considered to be class 1 compostable material unless the material is managed according to Rule 299.4121a(5).
- (g) “Class 1 composting facility” means a composting facility that meets the requirements of R 299.4121c where class 1 compostable material or a combination of class 1 compostable material and yard clippings is composted.
- (h) “Class 2 compostable material” means any compostable material, excluding yard clippings, organic waste generated in the production of livestock and poultry, and dead animals managed under the bodies of dead animals act, and not listed or approved as a class 1 compostable material.
- (i) “Class 2 composting facility” means a composting facility that meets the requirements of R 299.4121c where class 2 compostable material or a combination of class 2 compostable material with class 1 compostable material and/or yard clippings is composted.



RULE 102 continued

- (m) “Compost” means organic matter that has undergone biological decomposition by composting, has been stabilized to a degree that it is beneficial to plant growth without creating a nuisance, and is used or sold for use as a soil amendment, topsoil blend, or growing medium amendment or for other similar uses. Compost may contain material other than organic matter that aids in producing a quality end product for such uses.
- (n) “Compostable” means a material able to be converted to compost.
- (o) “Compostable products” means biodegradable containers, fabric, utensils, and other products that meet the ASTM standard D6400.
- (p) “Composting” means the process by which biological decomposition of yard clippings, class 1 compostable material or class 2 compostable material is carried out under controlled aerobic conditions, or within a controlled system designed for the anaerobic decomposition of organic matter, and which stabilizes the organic fraction into a material that can easily and safely be stored, handled, and used in an environmentally acceptable manner. The presence of insignificant anaerobic zones within the composting material will not cause the process to be classified as other than composting.



Rule 103

- (e) “Foreign matter” means organic and inorganic constituents, other than sticks and stones, that will not readily decompose during composting, and do not aid in producing a quality compost, including, but not limited to, plastics, glass, textiles, rubber, metal, ceramics, and painted, laminated, or treated wood.
- (f) "General public" means private citizens who are unlikely to incur a financial gain or loss greater than that of an average homeowner, taxpayer, or consumer as a result of an action taken by a planning committee.
- (g) “General use compost” means compost that is produced from class 1 compostable or class 2 compostable materials that meet the requirements of R 299.4121j(1).
- (w) “Restricted use compost” means compost that is produced from class 2 compostable materials that does not meet the requirements of R 299.4121j(1) but that is approved by the director pursuant to R 299.121j(2).



Yard clippings are defined in Part 115 Statute 11506(8) as

(8) "Yard clippings" means leaves, grass clippings, vegetable or other garden debris, shrubbery, or brush or tree trimmings, less than 4 feet in length and 2 inches in diameter, that can be converted to compost humus. Yard clippings do not include stumps, agricultural wastes, animal waste, roots, sewage sludge, or garbage.

Rule 108

(x) "Yard clippings" as defined in Section 11506(7*) of the act do not include Christmas trees or other holiday decorations. Finished compost made from yard clippings is not yard clippings.

*amend rules to identify correct location in the statute 11506(8) not 11506(7)



Issue by issue discussion of composting rule amendments.

Please refer to the “2009 Compost and Inertness Rules Composting Comparison” draft document