

MAINE STATE LEGISLATURE

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L.D. 969

Date: 5/5/11

(Filing No. H-197)

Minority

ENVIRONMENT AND NATURAL RESOURCES

AGRICULTURE, CONSERVATION AND FORESTRY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
125TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "B" to H.P. 713, L.D. 969, "Resolve, To Adjust Composting Limits for Farms"

Amend the resolve in section 1 in the 4th line (page 1, line 4 in L.D.) by striking out the following: "100 cubic yards" and inserting the following: '60 cubic yards as long as the facility is operated in accordance with a compost management plan approved by the Department of Agriculture, Food and Rural Resources'

Amend the resolve in section 1 in the last line (page 1, line 6 in L.D.) by striking out the following: "2-A." and inserting the following: '2-A; and be it further'

Amend the resolve by inserting after section 1 the following:

'Sec. 2. Department of Agriculture, Food and Rural Resources and Department of Environmental Protection to examine operations requiring a compost management plan. Resolved: That the Department of Agriculture, Food and Rural Resources and the Department of Environmental Protection, referred to in this section as "the departments," shall review agricultural composting operations that are exempt from licensing as a solid waste facility under the Department of Environmental Protection Rules, Chapter 410, Section 1, Paragraph B, Subparagraphs (4), (5), (6) and (7).

The departments shall report to the Joint Standing Committee on Agriculture, Conservation and Forestry and the Joint Standing Committee on Environment and Natural Resources no later than January 3, 2012 with recommendations for statutory changes needed to clarify or enhance oversight of agricultural composting operations by the Department of Agriculture, Food and Rural Resources. For the purposes of this section, "agricultural composting operations" means composting that takes place on farms and uses only animal manure, animal carcasses and offal, fish waste, leaves, wood chips,

COMMITTEE AMENDMENT

1 animal bedding and other vegetative waste and produce and other vegetable and food
2 waste.

3 The Joint Standing Committee on Agriculture, Conservation and Forestry and the
4 Joint Standing Committee on Environment and Natural Resources may report out a bill
5 during the Second Regular Session of the 125th Legislature pertaining to oversight of
6 agricultural composting operations.'

7 **SUMMARY**

8 This amendment is the minority report of the Joint Standing Committee on
9 Environment and Natural Resources and the Joint Standing Committee on Agriculture,
10 Conservation and Forestry. It requires the Department of Environmental Protection to
11 amend its rules to increase the maximum cubic yards of Type IB and Type IC residuals
12 that a farm may compost in any 30-day period to 60 cubic yards instead of 100 cubic
13 yards as proposed in the resolve.

14 It directs the Department of Agriculture, Food and Rural Resources and the
15 Department of Environmental Protection to review exemptions from licensing that are
16 contingent on operating in accordance with a compost management plan approved by the
17 Department of Agriculture, Food and Rural Resources. The 2 departments are directed to
18 report to the Joint Standing Committee on Agriculture, Conservation and Forestry and the
19 Joint Standing Committee on Environment and Natural Resources no later than January
20 3, 2012 with recommendations for any statutory changes needed to clarify or enhance
21 oversight of agricultural composting operations by the Department of Agriculture, Food
22 and Rural Resources. It authorizes the 2 legislative committees to report out a bill in the
23 Second Regular Session of the 125th Legislature.

FISCAL NOTE REQUIRED
(See attached)



125th MAINE LEGISLATURE

LD 969

LR 1621(03)

Resolve, To Adjust Composting Limits for Farms

Fiscal Note for Bill as Amended by Committee Amendment "B"
Committee: Environment and Natural Resources

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - Other Special Revenue Funds
Minor revenue decrease - Other Special Revenue Funds

Fiscal Detail and Notes

Requiring the Department of Environmental Protection (DEP) to amend its composting rules, to review agricultural composting operations that are exempt from licensing as solid waste facilities and to report back to the Legislature regarding recommendations for statutory changes will result in minor increased costs that DEP can absorb within existing budgeted resources. The amended rules may exempt certain facilities from licensing and regulatory requirements resulting in a minor revenue decrease to DEP. Additional costs to the Department of Agriculture, Food and Rural Resources associated with reviewing exempt organizations and reporting recommendations can be absorbed with existing staff and within existing budgeted resources.