

SENATE BILL 229

M3, M4

2lr0713
CF HB 184

By: **Senator Gallion**

Introduced and read first time: January 13, 2022

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Environment – On–Farm Composting Facilities – Permit Exemption**

3 FOR the purpose of requiring the Department of the Environment to adopt regulations to
4 exempt an on–farm composting facility from a certain requirement to obtain a permit
5 if the on–farm composting facility meets certain conditions; and generally relating
6 to on–farm composting facilities.

7 BY repealing and reenacting, with amendments,

8 Article – Environment

9 Section 9–1725

10 Annotated Code of Maryland

11 (2014 Replacement Volume and 2021 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
13 That the Laws of Maryland read as follows:

14 **Article – Environment**

15 9–1725.

16 (a) A person may operate a composting facility in the State only in accordance
17 with this part and any regulation, order, or permit adopted or issued under this part.

18 (b) (1) The Department shall adopt regulations to implement the provisions of
19 this part.

20 (2) **[Regulations] THE REGULATIONS** adopted under paragraph (1) of this
21 subsection may:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (i) Establish conditions under which a person may construct and
2 operate a composting facility in the State;

3 (ii) Establish a tiered system of permits or approvals for composting
4 facilities based on the type of feedstock, size of the facility, and other factors determined by
5 the Department to be appropriate;

6 (iii) Establish design and operational conditions for composting
7 facilities to protect public health and the environment and to minimize nuisances;

8 (iv) Establish exceptions to any requirement to obtain a composting
9 facility permit or approval;

10 (v) Exempt certain organic materials that are composted from being
11 designated as solid wastes; and

12 (vi) Establish any other provisions the Department deems necessary
13 to implement the provisions of this subtitle related to composting.

14 **(3) THE REGULATIONS ADOPTED UNDER THIS SUBSECTION SHALL**
15 **EXEMPT AN ON-FARM COMPOSTING FACILITY FROM THE REQUIREMENT TO OBTAIN**
16 **A PERMIT UNDER COMAR 26.04.11.06 IF THE ON-FARM COMPOSTING FACILITY:**

17 **(I) USES 40,000 SQUARE FEET OF AREA OR LESS IN SUPPORT**
18 **OF FOOD SCRAP COMPOSTING; AND**

19 **(II) MEETS ANY OTHER CONDITION FOR A PERMIT EXEMPTION**
20 **SPECIFIED IN REGULATIONS.**

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 2022.