

Compost Study Committee - Regulatory Proposal Summary Table.

<p><i>De Minimis or “Backyard” Commercial Composting Exemption</i></p>	<ul style="list-style-type: none"> • Less than 100 cy/yr of combined organic material. Exempt from ANR regulation • New Act 250 exemption.
<p><i>On-Farm Commercial Composting Exemptions</i> (Note that small scale composting on a farm may trigger ANR jurisdiction – see Small Scale Composting below)</p>	<p>AAFM has oversight if compost is made with farm wastes, manures, bulking agents, and up to 1000 cy/yr food processing residuals.</p> <p>Act 250 – Commercial composting on a farm is exempt from Act 250 if:</p> <ul style="list-style-type: none"> - compost is principally produced on the farm; - compost is principally used on the farm; - compost is made only with manure produced on the farm and unlimited bulking agents; - compost is made on a livestock or poultry farm, only with manure produced on the farm, up to 2000 cy/yr of inputs approved in the ACPs, including food residuals from any source or imported manure or both, and unlimited bulking agents; maximum size 10 acres or 10 % of parcel, and gross income from farming exceeds that from composting; or - (b) compost is made on a cultivation or crop farm that complies with the ACPs, from up to 5000 cy/yr total organic inputs allowed in the ACPS, including up to 2000 cy/y food residuals, maximum size 4 acres or 10% of parcel, gross income from farming exceeds that from composting, <i>and</i> obtains a Categorical Certification from DEC
<p><i>Small-Scale Composting</i></p>	<ul style="list-style-type: none"> • Manage up to 2000 cy/yr of food residuals • Manage less than 5000 cy/yr total organics • No more than 4 acres involved with the composting activity, not including acreage required for liquid nutrients management • Must follow Accepted Composting Practices (ACPs) • Solid Waste approval via registration process <p>Act 250 - see on-farm exemptions above. Other commercial composting operations would remain subject to Act 250 per current law.</p>
<p><i>Medium-Scale Composting</i></p>	<ul style="list-style-type: none"> • Manage less than 5000 cy/yr food residuals and less than 40,000 cy/yr of combined organics • No more than 10 acres involved with the composting activity, not including acreage required for liquid nutrients management • Solid Waste approval via categorical certification <p>Act 250 – would apply per current law.</p>
<p><i>Large-Scale Composting</i></p>	<ul style="list-style-type: none"> • Manage greater than 5000 cy/yr food residuals and/or greater than 40,000 cy/yr of combined organics • Greater than 10 acres, not including acreage required for liquid nutrients management • Requires Full Solid Waste Certification • Act 250 – would apply per current law.

- **Statute limiting Act 250 jurisdiction on farms – 10 V.S.A § 6001(3)(E) – would be amended to clarify that farm land used only to produce compost ingredients would not be regulated.**