

To: Environment and Transportation Committee
From: Bioenergy Devco
Subject: Senate Bill 229, Environment - On-Farm Composting Facilities - Permit Exemption
Position: Unfavorable
Date: March 30, 2022

Bioenergy Devco opposes Senate Bill 229, Environment - On-Farm Composting Facilities - Permit Exemption.

This testimony is offered on behalf of Bioenergy Development Company (BDC), with its US headquarters in Annapolis Maryland. BDC is the foremost provider of anaerobic digester solutions and is a pioneer in this sector. With a 24 year history in the business and more than 250 biogas facilities built throughout the world - - with our most recent plant about to open in Jessup Maryland - our qualified team of engineers, biologists, chemists, agronomists, has significant experience in the finance, design, construction and operation of anaerobic digester facilities and thus offers its expertise from biological support to safety in the management of excess organics in an environmentally smart way.

Senate Bill 229 requires the Maryland Department of the Environment (MDE) to establish an exemption, by regulation, from the permitting requirements under the Code of Maryland Regulations (COMAR) 26.04.11.06 for an on-farm composting facility that (1) uses 40,000 square feet (ft²) of area or less in support of food scrap composting and (2) meets any other conditions specified in regulations.

We appreciate the amendments which address contaminated feedstock and the need for a nutrient management plan. And while soil health plays an important part in the reduction of greenhouse gases. This bill allows an exemption for a compost facility that occupies up to an acre. Under existing regulations, a composting facility permit is generally required if a composting operation uses more than 5,000 square feet of area in support of composting. This bill establishes an exemption up to 8-fold without necessary environmental requirements that other similarly situated facilities are required to address under COMAR 26.04.11.09([Link](#)), namely:

- Vector control
- Odor management
- Leachate management
- Concrete pads
- Testing of compost/Quality of the finished compost (ie for sale, personal use)
- Compost covers

- Gas management
- Transportation review/total trucks
- Food safety rules (what is coming to the farm, from where and its specific content)
- Contamination management
- Control of gas emissions
- Methods to control contact water and stormwater
- Fire protection to name just a few

An exemption for facilities of this scale requires more specific guidance related to the concerns above and should be explicitly addressed.

We are committed to the expansion of additional organics recycling infrastructure in the State but want to ensure necessary and consistent standards are upheld to maintain public support, public safety, environmental stewardship and goodwill towards these projects moving forward.

For these reasons, Bioenergy Devco respectfully requests an unfavorable report on Senate Bill 229.

For additional information, please contact Aaron J. Greenfield at 410.446.1992