



**Testimony IN SUPPORT WITH AMENDMENTS of HB184– Environment – On-Farm
Composting Facilities – Permit Exemption
Environment & Transportation Committee**

February 2, 2022

Dear Chairman Barve and Members of the Committee,

Thank you for this opportunity to submit testimony in **SUPPORT WITH AMENDMENTS of HB184** on behalf of ShoreRivers. ShoreRivers is a river protection group on Maryland's Eastern Shore with over 2,100 members. Our mission is to protect and restore our Eastern Shore waterways through science-based advocacy, restoration, and education.

ShoreRivers supports composting for the number of undeniable benefits that it provides, including the recycling of organic material, the natural approach to addressing solid waste concerns and the environmental impacts from landfills, and the use of the end composted product as a means of increasing soil absorption and as a natural alternative to synthetic fertilizers. We support composting as an alternative means of managing poultry manure. And we also support incentives for encouraging environmental practices. However, we have concerns with incentivizing this industry to grow without adequate oversight and with the ability for mismanaged composting operations to become a source of nutrient pollution and a threat to local water quality.

This bill increases the size a composting operation from 5,000 sq. ft. to 40,000 sq. ft. while being exempt from needing a composting permit from Maryland Department of the Environment.

As we understand the bill, composting operations will be allowed to receive and store more material without oversight to make sure that raw organic material is handled properly. Properly handling the raw (pre-composted) product is important because if it's not properly stored and organic material gets into a local waterway it will increase the Biological Oxygen Demand (BOD). Increasing BOD in an aquatic system inadvertently steals necessary oxygen away from other aquatic life, resulting in a dead zone or otherwise poor water quality conditions. **To safely manage the storage of the raw product, the landowner engaging in a composting activity of the proposed size should be required to:**

- 1. follow an approved *Agricultural Waste Management System Plan* that clearly states how and where raw material is to be safely stored,**
- 2. keep record of the quantity and source of material received, and the date and time that it was delivered, and**
- 3. follow an approved *Water Quality Conservation Plan* that identifies the best management practices in place to prevent the raw material from entering local streams and waterways.**

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We also understand that the sponsor may be considering amendments that require material that's brought to the farm to begin the composting process within 24-hours, however, **without required record-keeping this requirement is not enforceable.**

Our final concern is that this bill will incentivize farmers to apply more nutrients to their fields without the proper verification that nutrient applications are being done safely and according to law. We understand this bill only applies to farmers who are using the composted material as fertilizer on farms that they own. **However, this bill lacks any requirement for a farmer to verify the nutrient content of the finished material before applying it to their fields.** Without this requirement, or without knowing the specifics of the farmers nutrient management plan (NMP), it's impossible to know if the nutrient content of the composted material is within the levels that can be safely accepted by the fields for which it's being applied.

This is of concern as the waterways on the Eastern Shore are already polluted from overapplying nutrients on farm fields, meanwhile this bill incentivizes farmers to compost more material for application on their fields without assurance that it can be done safely. **To provide better oversight, transparency, and accountability of the nutrients in the finished product, we feel that it's necessary that a landowner applying compost under this bill should be required to have a current Nutrient Management Plan on file with MDE.**

For these reasons stated above, ShoreRivers asks the Committee to adopt a **favorable report that includes these necessary amendments on HB184.**

Sincerely,



Matt Pluta
Choptank Riverkeeper, on behalf of:

ShoreRivers

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