



March 29, 2023

The Honorable Kumar P. Barve, Chair
Environment and Transportation Committee
House Office Building, Room 251
Annapolis, Maryland 21401

Re: Senate Bill 262 – Environment – On-Farm Composting Facilities – Permit Exemption

Dear Chair Barve and Members of the Committee:

The Maryland Department of the Environment (MDE or the Department) has reviewed Senate Bill 262 and would like to provide information regarding this bill. The bill would amend § 9-1725 of the Environment Article to require MDE's regulations to exempt an on-farm composting facility from obtaining a Composting Facility Permit if the on-farm composting facility uses up to 10,000 square feet in support of active food scrap composting, among other conditions.

MDE worked extensively with the sponsors and advocates to amend this bill in order to ensure public health and the environment are protected. MDE supports initiatives that promote composting of food scraps and on-farm composting operations. Composting helps to reduce greenhouse gas emissions related to disposal, conserve existing landfill capacity, and create a valuable soil amendment that improves soil health. It is MDE's role to ensure that these composting facilities do not result in issues such as leachate or other material discharging into Waters of the State, nuisance odors, and insect/rodent infestations. The regulations were developed to prevent these issues at permitted facilities. In addition, this bill would not eliminate the requirement for a general National Pollutant Discharge Elimination System (NPDES) stormwater discharge permit. The coverage under the general permit depends on the protections within the Composting Facility Permit and this law may unintentionally push smaller operators into more expensive and time-consuming individual permits.

Thank you for your consideration. We will continue to monitor SB 262 during the Committee's deliberations, and I am available to answer any questions you may have. Please feel free to contact me at 410-260-6304 or by e-mail at gabrielle.leach@maryland.gov.

Sincerely,

Gabrielle Leach, Deputy Director, Legislative and Intergovernmental Relations

cc: The Honorable Jason C. Gallion
Tyler Abbott, Director, Land and Materials Administration