

330 CMR 25.00: AGRICULTURAL COMPOSTING PROGRAM

Section

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25.01: Purpose

330 CMR 25.00 establishes criteria whereby the Department of Food and Agriculture may register and provide education and technical assistance to agricultural composting operations. Agricultural compost operations registered by the Department of Food and Agriculture are conditionally exempt from site assignment pursuant to the Department of Environmental Protection regulations (310 CMR 16.05(3)(g) and (h)).

25.02: Definitions

Agricultural Composting: the composting of agricultural wastes and other compostable materials on an agricultural unit resulting in stabilized compost products for agricultural and horticultural uses.

Agricultural Unit: land which conducts activities listed in M.G.L. c. 128, § 1A.

Agricultural Waste: discarded organic materials produced from the raising of plants and animals as part of agronomic, horticultural or silvicultural operations, including but not limited to animal manure, bedding materials, plant stalks, leaves, other vegetative matter and discarded by-products from the on-farm processing of fruits and vegetables.

Compostable Material: an organic material that has the potential to be composted, excluding wastewater treatment residuals, which is not co-mingled or contaminated by significant amounts of toxic substances.

Composting: a process of accelerated biodegradation and stabilization of organic material under controlled conditions yielding a product which can safely be used.

Department: the Department of Food and Agriculture.

DEP: the Department of Environmental Protection.

Disposal: the final dumping, landfilling or placement of solid waste materials into or on land or water or the incineration of solid waste.

Physical Contaminants: any non-biodegradable material such as plastic, metal, glass, stones, or masonry debris.

Registration: approval by the Department as an agricultural composting operation.

25.03: Agricultural Composting Registration

The Department may register agricultural composting operations if the Department determines that:

- (1) the compost operation is located on agricultural unit;
- (2) the applicant has submitted a completed application;
- (3) the applicant agrees to a site visit and to comply with the Department's Agricultural Compost

Guidelines;

25.03: continued

- (4) the applicant demonstrates knowledge and capability to conduct the agricultural composting operation to produce a stabilized compost product.

25.04: Composting Materials

- (1) Registered agricultural compost operations can only use defined agricultural wastes and other compostable material allowed by DEP regulation pursuant to 310 CMR 16.05(g) and (h) whether those materials are generated on-site or off-site.
- (2) Physical contaminants must be removed from the raw materials prior to mixing at the compost site. Separated physical contaminants must be appropriately disposed. Materials received from off-site locations must be source separated.

25.05: Operation of Composting Facilities

- (1) Agricultural composting facilities must be secure from illegal dumping of waste materials.
- (2) Composting operations shall comply with all state and local regulations governing agricultural composting including those which relate to siting requirements (310 CMR 16.00) and the Department's Agricultural Compost Guidelines.
- (3) The operation of the composting facility must be done in a manner to minimize odors, noise, drift of materials, and risk to humans or the environment.
- (4) All demonstration composting facilities must be available to the Department for educational purposes on such terms as the Department may require, for the purpose of complying with M.G.L. c. 21H, § 7B.
- (5) If an agricultural compost operator makes nutrient claims of their finished compost material, then such operators are subject to M.G.L. c. 128, §§ 64 through 83 and, 310 CMR 15.00.

25.06: Revocation of Agricultural Composting Registrations

If the Department finds that any portion of the Agricultural Composting Registration application includes false or misleading information, or the operation of a registered composting facility is in violation of the regulations or guidelines, or is acting not in the best interest of Massachusetts agriculture, the Department may suspend or revoke the registration which will also revoke the exemption status and thereby the operator must comply with DEP Regulations for Determination of Need for Site Assignment as set forth in 310 CMR 16.05(4).

REGULATORY AUTHORITY

330 CMR 25.00: M.G.L. c. 21H, § 7.