



This Bill Analysis reflects the contents of the bill as it was presented in committee.

HOUSE BILL 244: Enhanced Rqmts./Composting Facilities.

2017-2018 General Assembly

Committee:	House Environment	Date:	April 20, 2017
Introduced by:	Reps. Howard, McElraft, McGrady, Setzer	Prepared by:	Jennifer McGinnis Committee Counsel
Analysis of:	PCS to Second Edition H244-CSRI-5		

OVERVIEW: *The Proposed Committee Substitute for House Bill 244 would: (i) establish a requirement for a 500 foot buffer between new solid waste management facilities and schools, athletic fields, and community facilities; (ii) require the Environmental Management Commission (EMC) to adopt rules to reduce fugitive emissions and odors from composting facilities; and (iii) require the Department to provide public notice of issuance or renewal of a permit for a composting facility, prior to approving a permit.*

The PCS would make the following changes to the Second Edition of the bill:

- Changes the requirement that the Department consider significant impacts to schools, athletic fields, and community facilities, when permitting a solid waste management facility (including a compost facility), and, in lieu, establishes a requirement for a 500 foot buffer between new solid waste management facilities and schools, athletic fields, and community facilities.
- Deletes the word “welfare” in the requirement concerning development of rules to minimize odor and other emissions from composting operations.
- Eliminates the requirement for a public hearing, and sets forth a process for the required public notice.
- Provides that odor rules to be developed, and the requirement for public notice, would not apply to composting activities occurring at a bona fide farm operation for which composting is not the operation's primary source of income.

CURRENT LAW and BILL ANALYSIS:

Section 1

The rules governing solid waste management facilities set forth a number of setback requirements for various types of facilities, for instance:

Municipal solid waste landfills (MSWLF):

- Property line buffer - a minimum 300-foot buffer between the MSWLF unit and all property lines.
- Private residences and wells - a minimum 500-foot buffer between the MSWLF unit and existing private residences and wells.

Septage land application sites:

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- Residence not occupied by the applicant – 500 feet.
- Place of business, other than the septage management firm office, or place of public assembly – 500 feet.
- Well or spring – 500 feet.

The PCS would direct the Department to require a buffer of at least 500 feet between the outermost boundary of any new solid waste management facility, and the outermost boundary of any property on which any of the following are located: (i) a school and associated athletic fields, or (ii) community facilities hosting outdoor activities.

Section 2

The General Statutes require that the EMC adopt rules for compost production at solid waste facilities including rules for: (i) production of hygienically safe compost products; and (ii) the development of a classification scheme for different composts based on types of waste composted and other factors. Such rules would not apply to composting activities occurring at a bona fide farm operation for which composting is not the operation's primary source of income.

The PCS would amend the applicable statute to additionally require the EMC to adopt rules necessary to substantially reduce and minimize fugitive emissions and offensive odors from composting facilities that would adversely affect the general health and safety of persons beyond the facility's boundary.

In addition, Section 2 would require the Department to provide public notice of a new permit, or permit renewal, for a composting facility, prior to issuance or renewal of a permit for the facility. This notice requirement would not apply to composting activities occurring at a bona fide farm operation for which composting is not the operation's primary source of income.

EFFECTIVE DATE: This act would become effective October 1, 2017.