



# Composting and Organics Management

Michigan recycles less than half of the national average of thrown away material. However, roughly 35 percent of these materials are organics that can be managed in another way. To divert these materials from landfills, Michigan solid waste law must change to focus on:

- Ensuring that residents and businesses have more access to and options for organics management services, such as composting, near them.
- Local planning for the siting and development of facilities for the composting of yard waste and other organic materials.
- Improving the management practices of composting and organics management facilities to minimize risks to people and the environment.



The Michigan Department of Environment, Great Lakes, and Energy (EGLE) has worked over the past few years to coordinate the development of legislation with a team of stakeholders, including representatives from local governments, business, and industry, including the organics industry, consultants, and environmental and recycling organizations, to develop a bill that will encourage a culture that promotes the environmental, social, and economic benefits of managing organics more sustainably.

This group has developed draft legislation. When enacted, the legislative amendments will facilitate the development of new Materials Management Plans by all 83 Michigan counties, including how each county plan will address organic materials recovery. Composting facilities will need to be consistent with these county plans.

Also, the amendments will create new criteria for classifying and regulating composting facilities and the materials that they manage. This will include increased support and oversight of organics management facilities.

Regulations alone will not create the conditions necessary to promote an environment where the composting industry can thrive. To be successful, Michigan must also work to grow markets for the materials being produced at organics management facilities. The amendments focus on market development by supporting research and development, technical assistance, and financial support to develop new and innovative uses for organic materials.

## Compostable Materials: Organic material that can be converted to finished compost

### Class 1 Compostable Materials

- Yard Waste
- Food Waste
- Manure or Animal Bedding
- Dead Animals Unless Infectious or Managed Under BODA
- Paunch
- Aquatic Plants
- AD Digestate (no liquids)
- Wood
- Paper Products
- Compostable Products
- Spent Grain from Breweries
- Food Processing Residuals
- Other Materials Approved by EGLE, including FOG

### Class 2 Compostable Materials

- Mixed Municipal Solid Waste
- Other Compostable Material That Is Not Listed or Approved as Class 1
- Biosolids
- State or Federal Controlled Substances

### Increased oversight for non-farm, commercial, organics composting facilities

- Annual Inspections and increased site visits
- General Permit and financial assurance for large facilities
- All regulated facilities must submit an Annual Volume Report.
- Limits on amounts of certain materials entering smaller facilities to help prevent nuisances

### Small Composting Facility

- 500 yds<sup>3</sup> - 1,000 yds<sup>3</sup>
- Must notify EGLE that it is in operation
- Must not contain more than 5% of Class 1 compostable materials other than yard waste

### Medium Composting Facility

- 1,000 yds<sup>3</sup> - 10,000 yds<sup>3</sup>
- Must obtain a Registration
- Annual Inspection
- No more than 5,000 yds<sup>3</sup> per any acre of the site
- Must not contain more than 10% of Class 1 compostable materials other than yard waste

### Large Composting Facility

- Over 10,000 yds<sup>3</sup>
  - Must obtain a General Permit
  - Annual Inspection
  - Financial Assurance
- Each Site = \$20,000

## Terms

**Composting** – A process of biological decomposition of Class 1 or Class 2 Compostable Material that is carried out under controlled aerobic conditions using mechanical handling techniques (physical turning, windrowing, etc.) or in a system using vermiculture (worms). It also must stabilize the organic fraction into a material that can be easily and safely stored, handled, and used in an environmentally acceptable manner.

**Compostable Products** – Biodegradable containers, fabric, utensils, and other products that are certified by the Biodegradable Products Institute or meet ASTM D6400-04 or ASTM D6868.

**General Permit** – A permit that covers a category of activities that the DEQ determines will not negatively impact human health or cause long term adverse impacts on the natural resources and environment. It also includes requirements for application fees, a site plan, an operations plan, and financial assurance.

**Food Waste** – An accumulation of animal, or vegetable matter used or intended for human or animal food or that results from the preparation, use, cooking, dealing in, or storing of animal or vegetable matter. Food waste does not include fats, oils, or grease.

**Yard Waste** – Leaves, grass clippings, vegetable or other garden debris, shrubbery, or brush or tree trimmings, less than 4 feet in length and 2 inches in diameter, that can be converted to compost. This does not include stumps, agricultural wastes, animal waste, roots, sewage sludge, Christmas trees or other holiday decorations made of vegetation, food waste, or finished compost made from yard waste.

**Temporary Accumulation** – A person may temporarily accumulate yard waste if the following requirements are met:

- Does not create a nuisance or result in a violation
- Yard Waste is not mixed with other compostable materials
- No more than 1,000 cubic yards are placed on-site, unless a greater volume is approved by EGLE
- Yard Waste placed on-site April 1 – November 30 must move to another location within 30 days after being placed on site, unless a longer time period is approved by EGLE
- Yard Waste placed on site December 1 – March 31 must move to another location by the next April 1
- Must notify EGLE annually that it is a temporary yard waste accumulation site and must maintain records necessary to demonstrate that these requirements are met

### Facilities Exempt From Registration

- Compost Facilities under 500 yds<sup>3</sup>
- Temporary accumulation sites
- Sites that generate and use the compostable material on-site
- Farms that make and use compost on-farm

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