Senate Bill 462

Sponsored by Senator STARR

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced.**

Provides that composting facility that composts certain type of feedstocks may not be located within specified distance of boundary of incorporated city. Provides exception for composting facility located on land in exclusive farm use zone.

Declares emergency, effective on passage.

1 A BILL FOR AN ACT

- 2 Relating to composting; and declaring an emergency.
- 3 Be It Enacted by the People of the State of Oregon:
- 4 **SECTION 1.** (1) As used in this section:
- 5 (a)(A) "Composting facility" means a site or facility that composts type 1, type 2 or type 6 3 feedstocks through a process of controlled biological decomposition to produce a useful 7 product.
 - (B) "Composting facility" does not mean a home composting facility that is operated and controlled by the owner or manager of, or person residing in, housing and used to compost:
 - (i) Residential food waste produced in the housing.
- 11 (ii) Yard debris produced within the boundaries of the property on which the housing is located.
- 13 (b) "Housing" has the meaning given that term in ORS 456.055.
- 14 (c) "Type 1 feedstocks" means:
- 15 (A) Source-separated yard and garden wastes.
- 16 (B) Wood wastes.

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- 17 (C) Agricultural crop residues.
 - (D) Waxed cardboard and uncoated paper products.
- 19 (E) Food waste derived from fruits and vegetables, grains and coffee grounds.
- 20 (F) Any other feedstocks specified in rules adopted by the Environmental Quality Com-21 mission.
- 22 (d) "Type 2 feedstocks" means:
- 23 **(A) Manure.**
- 24 (B) Animal bedding.
- 25 (C) Any other feedstocks specified in rules adopted by the Environmental Quality Com-26 mission.
- (e) "Type 3 feedstocks" means:
 - (A) Dead animals.
- 29 (B) Meat waste.
 - (C) Source-separated mixed food waste.

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

(D) Industrially produced food waste, except food waste derived from fruits and vegeta-1 2 bles, grains, coffee grounds, agricultural crop residues, waxed cardboard and uncoated paper 3 products. (E) Any other feedstocks specified in rules adopted by the Environmental Quality Com-4 mission. 5 (2)(a) A composting facility that composts more than _____ tons of type 3 feedstocks 6 during any calendar year may not be located within _____ miles of the boundary of an in-7 corporated city. 8 9 (b) Notwithstanding paragraph (a) of this subsection, the Department of Environmental Quality may allow a composting facility that is located on land in an exclusive farm use zone 10 within _____ miles of the boundary of an incorporated city to compost type 3 feedstocks 11 12 in any amount. SECTION 2. Section 1 of this 2013 Act applies to permits issued or renewed, pursuant to 13 ORS 459.205, on or after the effective date of this 2013 Act. 14 15 SECTION 3. This 2013 Act being necessary for the immediate preservation of the public 16 peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect 17 on its passage. 18