

HOUSE BILL No. 4905

June 12, 2007, Introduced by Reps. Meekhof, Ball, Agema, Pavlov, Calley, Emmons, Huizenga, Nitz, Hammel, Hammon, Hune, Brown and Mayes and referred to the Committee on Agriculture.

A bill to amend 1982 PA 239, entitled

"An act to license and regulate animal food manufacturing plants, transfer stations, dead animal dealers, rendering plants, and certain vehicles; to regulate the disposal of dead animals and to provide for poultry and livestock composting; to prescribe powers and duties of certain state departments; to impose fees; to provide for remedies and to prescribe penalties; and to repeal acts and parts of acts,"

by amending sections 3, 4, and 15 (MCL 287.653, 287.654, and 287.665), as amended by 2005 PA 66.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 3. (1) "Active composting" means the accelerated
- 2 decomposition of organic materials leading primarily to the
- 3 production of carbon dioxide, **METHANE**, water, heat, and compost.

1 (2) "Aeration" or "aerate" means the introduction of air into
2 compost by using porous bulking agents, agitating, turning, mixing,
3 forcing air through open ended perforated pipes embedded in
4 compost, or other method provided for by rule.

5 (3) "Animal" means mollusks, crustaceans, and vertebrates
6 other than human beings.

7 (4) "Animal food manufacturing plant" means an establishment
8 at which animal or pet food is produced through the slaughtering,
9 boning, grinding, cooking, canning, or freezing of dead animals.

10 (5) "Batch" means compost accumulated in a planned period of
11 time.

12 (6) "Biofilter cap" means a layer of fresh bulking agent
13 placed over a pile.

14 (7) "Bulking agent" means a material added to compost to
15 provide nutrients, decrease bulk density, promote aeration, and
16 remove heat.

17 (8) "Compost leachate" means any liquid leaving compost by
18 running off of the surface of the pile or flowing downward through
19 the pores of the pile.

20 (9) "Composting structure" means a structure designed and
21 built for the sole purpose of composting organic material and dead
22 animals.

23 (10) "Curing" means the period of time after active composting
24 when further decomposition occurs at a slow rate.

25 (11) "Dead animals" means restaurant grease and the bodies,
26 any part of the bodies, or any material produced from the bodies of
27 animals that have been slaughtered or have died from any other

1 cause and are not intended for human food. Dead animals do not
2 include a finished product that has been processed by an approved
3 method.

4 (12) "Dead animal dealer" means a person that procures and
5 transports dead animals to or from a facility licensed under this
6 act.

7 (13) "Decharacterize" means a procedure that renders dead
8 animals unfit for human consumption.

9 (14) "Denature" means a procedure that imparts a distinctive
10 color, odor, or taste to dead animals so that the bodies are unfit
11 for human consumption or cannot be used for animal or pet food
12 unless properly rendered.

13 (15) "Department" means the department of agriculture.

14 (16) "Director" means the director of the department of
15 agriculture or his or her authorized representative.

16 (17) "Effluent" means any liquid leaving compost by running
17 off the surface of the pile and flowing downward through the pores
18 of the pile.

19 (18) "Facility" means any of the following:

20 (a) An animal food manufacturing plant.

21 (b) A rendering plant.

22 (c) A transfer station.

23 (19) "Fresh" means bulking agents of plant origin that have
24 not been mixed with any animal tissue, product, or excrement and
25 have limited odor-producing potential.

26 Sec. 4. (1) "Grinding" means the mechanical reduction of
27 intact or whole animal tissues into smaller pieces.

1 (2) "Groundwater" means that term as defined in section 8303
2 of the natural resources and environmental protection act, 1994 PA
3 451, MCL 324.8303.

4 (3) **"METHANE DIGESTER" MEANS A SYSTEM DESIGNED TO FACILITATE**
5 **THE PRODUCTION OF METHANE FROM ANAEROBIC MICROBIAL DIGESTION OF**
6 **ANIMAL OR FOOD WASTE, INCLUDING DEAD ANIMALS.**

7 (4) ~~(3)~~"Normal natural daily mortality" means dead animals
8 generated as a result of the ordinary death loss or tissue by-
9 product accumulations associated with or as a result of the day-to-
10 day operations of raising, keeping, and harvesting animals.

11 (5) ~~(4)~~"Person" means an individual, partnership,
12 corporation, limited liability company, cooperative, association,
13 joint venture, or other legal entity or 2 or more entities in
14 contractual relationships.

15 (6) ~~(5)~~"Pile" means the mass or mound of compost within the
16 forms of an open-pile, contained-pile within bin, or open-windrow.

17 (7) ~~(6)~~"Rendering plant" means an establishment for the
18 reduction by cooking or processing of dead animals to tallow and
19 meat scrap, cracklings, or other items unfit for human consumption.

20 (8) ~~(7)~~"Restaurant grease dealer" means a person who procures
21 and transports cooking grease wastes from a restaurant.

22 (9) ~~(8)~~"Static" means a compost pile that is left to stand
23 motionless or idle and does not include a rotating drum in-vessel
24 compost digester.

25 (10) ~~(9)~~"Transfer station" means an establishment for the
26 collection of dead animals that are to be transported to a facility
27 licensed either under this act or the Michigan commercial feed law,

1 1975 PA 120, MCL 287.521 to 287.535.

2 Sec. 15. The department shall promulgate rules pursuant to the
3 administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to
4 24.328, regarding the following:

5 (a) The construction and operation of a facility licensed
6 under this act.

7 (b) Vehicles used for the transportation of dead animals.

8 (c) Methodology for active composting to include, but not be
9 limited to, methodology regarding passively aerated static piles,
10 mechanically or forced aerated static piles, windrow piles, ~~and~~
11 contained or in-vessel systems, **AND METHANE DIGESTERS**.

12 (d) Conditions for active composting to include, but not be
13 limited to, recommended conditions regarding moisture content,
14 carbon-to-nitrogen ratio, bulking agent particle size, animal
15 tissue density, composting density, temperature ranges, and pH
16 ranges.

17 (e) Parameters regarding grinding, including, but not limited
18 to, pile form and shape, pile slumping, and the presence of large
19 intact bones after composting.

20 (f) Methods for effluent containment and prevention of its
21 movement into groundwater and surface water.

22 (g) The accommodation of normal natural daily mortality and
23 system capacity for accommodation of both active composting and
24 curing.

25 (h) Control of odor and pest or vermin infestation of piles
26 with biofilter caps or as otherwise provided by rule.

27 (i) The generation of adequate records involving composting.

- 1 (j) A system of annual nutrient-content analysis.
- 2 (k) The final disposition of finished compost.