

# On-Farm Compost of Food Residuals

**January 18, 2024 Compost: Farms Accepting Compost Scraps**  
Senate Committee on Agriculture

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PRESENTED BY **David Huber**

# On-Farm Compost of Food Residuals ACT 41 Review

- Amendment of Act 250
- 10 V.S.A. § 6001(22): “Farming” means

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(H) the importation of 2,000 cubic yards per year or less of food residuals or food processing residuals onto a farm for the production of compost, provided that:

- (i) the compost is principally used on the farm where it is produced; or
- (ii) the compost is produced on a small farm that raises or manages poultry.

# On-Farm Compost of Food Residuals ACT 41 Review

- Act 41 also amended the Required Agricultural Practices Rule to include the amended definition of “farming” as Section 2.16 (h) in addition to:
  - Section 2.44 “Food residual” means source separated and uncontaminated material that is derived from processing or discarding of food and that is recyclable, in a manner consistent with 10 V.S.A. § 6605k. Food residual may include preconsumer and postconsumer food scraps. “Food residual” does not mean meat and meat-related products when the food residuals are composted by a resident on site.
  - Section 2.45 “Principally used” means that more than 50 percent, either by volume or weight, of the compost produced on the farm is physically and permanently incorporated into the native soils on the farm as a soil enhancement and is not removed or sold at any time thereafter.

# On-Farm Compost of Food Residuals ACT 41 Review

- Act 41 created Chapter 218 “Agricultural Residuals Management” within Title 6
  - § 5131 Purpose – establish a program for the management of food residual wastes generated, imported to, or managed on a farm for farming in Vermont.
  - § 5133 Food Residuals; Rulemaking
    - VAAFM to regulate the importation of food residuals or food processing residuals onto a farm
    - VAAFM to adopt, by rule, requirements for the management of food residuals and food processing residuals on a farm.
    - VAAFM may adopt the rules as part of the RAPs or as independent rules under Chapter 218
- Act 41 directs VAAFM to require farms producing compost to comply with Sections 6–1101 through 6–1111 of the Agency of Natural Resources’ Vermont Solid Waste Management Rules prior to adoption of Rules
- Act 41 also amended the 10 V.S.A. § 6605. Solid Waste Management Certification to include:
  - (n) A farm producing compost under subdivision 6001(22)(H) is exempt from the requirements of this section.

# On-Farm Compost of Food Residuals Program Review

- 2022 – ANR Solid Waste Program provided VAAFM a list of operations possibly subject to jurisdictional changes based on the amendments provided in Act 41
- Winter/Spring of 2022 – VAAFM sent out a survey to acquire more information and establish its own list of possible farms falling within its jurisdiction
- Spring/Summer of 2022 – VAAFM began drafting a rule (independent of the RAPs) for the management of food residuals on farms
- Fall of 2022 – VAAFM hired an Agricultural Resource Management Specialist to work as a lead on the program
- Winter of 2022/2023:
  - VAAFM continued to work on an independent rule to be promulgated under Chapter 218 of Title 6 and underlying administrative infrastructure
  - VAAFM contacted identified farms to understand their scale and operations, and conducted several informational site visits to further understand the logistics of these operations

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- Spring of 2023 - VAAFM determined that the rule for management of food residuals on a farm would be best incorporated in the RAPs for
  - More robust investigative & enforcement capabilities
  - Programmatic consistency for regulation of farms
  - Municipal protections
- Summer/Fall of 2023 – VAAFM established a committee to assess whether certain operations met the new definition of farming and to issue jurisdictional determinations

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# On-Farm Compost of Food Residuals

## Program Review

Farm	Town	Approximate Amount of Food Residuals Imported (Cubic Yards) (2022)	Approximate Amount of Food Residuals Imported (Cubic Yards) (2023)	Small farm raising or managing poultry	Compost principally used on-site
Hudak Farm	Swanton	700	1500	Yes	Yes
Kingdom View Compost	Lyndonville	1,250	920	No	Yes
Mar-Jo Acres Compost	Irasburg	1,800	1150	Yes	Yes
Sunrise Farm	Hartford	300	150	Yes	Yes
Black Dirt Farm	Stannard	1,000	930	Yes	No
Clouds Path Farm	Sheffield	960	-	Yes	Yes
Dog River Farm	Berlin	26	26	Yes	Yes
Vermont Compost Company	Montpelier	1,500	1,029	Yes	No
Firefly Farm	Burke	<20	<20	Yes	Yes
Ascutney Harvest	Windsor	<10	0		
SUSU Community Farm	Newfane	-	1	Yes	Yes
VT Youth Conservation Corps Farm	Richmond	150	0	Yes	Yes

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# On-Farm Compost of Food Residuals Program Review

Action	Time
Shared draft of Agricultural Residuals Management Rule	-Rural Vermont and Poultry Farmers for compost Foraging 12/2/21 -Compost Association of Vermont (CAV), 12/16/21 -Agency of Natural Resources 12/16/21, and reviewed on 2/23/22
AAFM received proposal addressing on-farm composting from Poultry Farmers for Compost Foraging	April 2022
AAFM was a contributing partner in reviewing document: PARTNERING FARMS AND COMMUNITIES: A Regulatory and Start-Up Guide for On-Farm Food Scrap Composting.	Reviewed in Fall of 2021. Guide released in May of 2022.
VAAFM attended the Vermont Organics Recycling conference	May 5, 2022
VAAFM attended CAV site visit and discussion (“tea talk”)	Fall, 2022
VAAFM attended the Vermont Organics Recycling conference	May 2, 2023
VAAFM attended NRCS on-farm compost workshop	September 14, 2023
VAAFM attended ANR certified compost operator training	September 15, 2023
VAAFM created an Agricultural Food Residuals Management <a href="#">webpage</a> .	August 22, 2023
VAAFM has had several meetings with both Natasha Duarte, Compost Association of Vermont (CAV), and James McSweeney, Compost Technical Services, to discuss on-farm compost rules.	
VAAFM is also a steering committee member for a USDA Rural Utility Services Solid Waste Management Grant funded project being led by CAV. Partner farms for the grant include Acutney Village Farm, SUSU Community Farm, Firefly Farm	

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