

1 H.501

2 Introduced by Representative McCullough of Williston

3 Referred to Committee on

4 Date:

5 Subject: Conservation and development; solid waste; residual waste; digestate;
6 soil amendments; physical contaminant standards

7 Statement of purpose of bill as introduced: This bill proposes to require the
8 Secretary of Natural Resources to adopt standards for the allowable levels of
9 physical contaminants in residual waste, digestate, and soil amendments sold
10 or land applied in the State. The bill would require the rules to provide that
11 residual waste, digestate, and soil amendments shall not contain more than 0.5
12 percent by dry weight of physical contaminants greater than one millimeter and
13 that no more than 20 percent by dry weight of the 0.5 percent by dry weight of
14 physical contaminants shall be film plastic greater than one millimeter.

15 An act relating to physical contaminant standards for residual waste,
16 digestate, and soil amendments

17 It is hereby enacted by the General Assembly of the State of Vermont:

18 Sec. 1. 10 V.S.A. § 6602 is amended to read:

19 § 6602. DEFINITIONS

20 As used in this chapter:

1 (53) “Residual waste” mean domestic septage, sewage sludge, biosolids,
2 and sludge from drinking water treatment plants.

3 (54) “Sewage Sludge” means any solid, semisolid, or liquid generated
4 from a municipal, commercial, or industrial wastewater treatment facility or
5 process treating any amount of domestic waste.

6 (55) “Sludge” means any solid, semisolid, or liquid generated from a
7 municipal, commercial, or industrial wastewater treatment facility or process,
8 water supply treatment plant, air pollution control facility or any other such
9 waste having similar characteristics and effects.

10 (56) “Soil amendment” has the same meaning as in 6 V.S.A. § 363.

11 Sec. 2. 10 V.S.A. § 6604d is added to read:

12 § 6604d. PHYSICAL CONTAMINANT STANDARDS FOR RESIDUAL
13 WASTE, DIGESTATE, AND SOIL AMENDMENTS

14 (a) The Secretary shall adopt by rule standards for the allowable levels of
15 physical contaminants in residual waste, digestate, and soil amendments sold
16 or land applied in the State, provided that the standards shall:

17 (1) provide that residual waste, digestate, and soil amendments shall not
18 contain more than 0.5 percent by dry weight of physical contaminants greater
19 than one millimeter;

1 (2) provide that no more than 20 percent by dry weight of the 0.5
2 percent by dry weight of physical contaminants in residual waste, digestate,
3 and soil amendments shall be film plastic greater than one millimeter; and

4 (3) establish testing or sampling standards for residual waste, digestate,
5 and soil amendments.

6 (b) A person who violates the rules adopted under this section shall be
7 subject to a civil penalty under subsection 6612(b) of this title.

8 Sec. 2. RULEMAKING; IMPLEMENTATION

9 (a) In accordance with 3 V.S.A. chapter 25, the Secretary of Natural
10 Resources shall adopt the rules required under 10 V.S.A. § 6604d for allowable
11 levels of physical contaminants in residual waste, digestate, and soil
12 amendments by September 1, 2022. The Secretary shall adopt the rules as an
13 emergency rule and concurrently propose them as a permanent rule. The
14 emergency rule shall be deemed to meet the standard for the adoption of
15 emergency rules pursuant to 3 V.S.A. § 844(a).

16 (b) Compost and soil amendments regulated by the Secretary of
17 Agriculture, Food and Markets under 6 V.S.A. chapter 218 shall be required to
18 meet the standards for physical contaminants in residual waste, digestate, and
19 soil amendments adopted by the Secretary of Natural Resources under
20 10 V.S.A. § 6604d.

1 Sec. 3. EFFECTIVE DATE

2 This act shall take effect on passage.