

Composting Pathogen Reduction Permanent Rule

July 18, 2019, EQC meeting
Enterprise, Oregon

Background

- Anaerobic digestion rules adopted in 2012
- Pathogen limits, treatment and reduction requirements and testing requirements
- Digestate from non-agricultural operations required to meet pathogen limits
- Soil application of digestate at agronomic rates is protective of human health and the environment regardless of where the digester is located

Proposed Pathogen Reduction Rule Change

Adds language exempting digestate from pathogen reduction limits, when applied to soil at agronomic application rates and under certain site restrictions, regardless of whether the digester is at an agricultural operation.



Why is this permanent rule change needed?

- The Environmental Quality Commission adopted the temporary rule change – Feb. 25, 2019 which expires in August
- DEQ has proceeded with the permanent rule change
- DEQ completed a fiscal impact analysis and formed an advisory committee to advise DEQ on the fiscal impact analysis
- DEQ conducted a public comment process



Advisory Committee Process

- Advisory committee represented multiple interests
- Met April 1
- Reviewed proposed rule change
- Reviewed fiscal impact analysis
- Agreed with DEQ's analysis of the fiscal impact
- Appreciated the explanation for the rule making

Public Comment

- Public comment period April 15 to May 17
- Public hearing May 15
- No changes to the rule based on comments received

Questions?

DEQ recommends permanent rule adoption

- DEQ recommends that the Environmental Quality Commission adopt the proposed rules in Attachment A as part of Chapter 340 of the Oregon Administrative Rules.