

SENATE SUBSTITUTE FOR
HOUSE BILL NO. 4905

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 and 15 (MCL 287.653 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, water, heat, and compost.

4 (2) "Aeration" or "aerate" means the introduction of air into
5 compost by using porous bulking agents, agitating, turning, mixing,

1 forcing air through open ended perforated pipes embedded in
2 compost, or other method provided for by rule.

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

6 (4) ~~(3)~~—"Animal" means mollusks, crustaceans, and vertebrates
7 other than human beings.

8 (5) ~~(4)~~—"Animal food manufacturing plant" means an
9 establishment at which animal or pet food is produced through the
10 slaughtering, boning, grinding, cooking, canning, or freezing of
11 dead animals.

12 (6) ~~(5)~~—"Batch" means compost accumulated in a planned period
13 of time.

14 (7) ~~(6)~~—"Biofilter cap" means a layer of fresh bulking agent
15 placed over a pile.

16 (8) ~~(7)~~—"Bulking agent" means a material added to compost to
17 provide nutrients, decrease bulk density, promote aeration, and
18 remove heat.

19 (9) ~~(8)~~—"Compost leachate" means any liquid leaving compost by
20 running off of the surface of the pile or flowing downward through
21 the pores of the pile.

22 (10) ~~(9)~~—"Composting structure" means a structure designed and
23 built for the sole purpose of composting organic material and dead
24 animals.

25 (11) ~~(10)~~—"Curing" means the period of time after active
26 composting when further decomposition occurs at a slow rate.

27 (12) ~~(11)~~—"Dead animals" means restaurant grease and the

1 bodies, any part of the bodies, or any material produced from the
2 bodies of animals that have been slaughtered or have died from any
3 other cause and are not intended for human food. Dead animals do
4 not include a finished product that has been processed by an
5 approved method.

6 (13) ~~(12)~~—"Dead animal dealer" means a person that procures
7 and transports dead animals to or from a facility licensed under
8 this act.

9 (14) ~~(13)~~—"Decharacterize" means a procedure that renders dead
10 animals unfit for human consumption.

11 (15) ~~(14)~~—"Denature" means a procedure that imparts a
12 distinctive color, odor, or taste to dead animals so that the
13 bodies are unfit for human consumption or cannot be used for animal
14 or pet food unless properly rendered.

15 (16) ~~(15)~~—"Department" means the department of agriculture.

16 (17) ~~(16)~~—"Director" means the director of the department of
17 agriculture or his or her authorized representative.

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

21 (19) ~~(18)~~—"Facility" means any of the following:

22 (a) An animal food manufacturing plant.

23 (b) A rendering plant.

24 (c) A transfer station.

25 (20) ~~(19)~~—"Fresh" means bulking agents of plant origin that
26 have not been mixed with any animal tissue, product, or excrement
27 and have limited odor-producing potential.

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

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

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

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

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

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

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

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

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

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

27 (j) A system of annual nutrient-content analysis.

1 (k) The final disposition of finished compost.

2 (l) METHODOLOGY FOR THE ANAEROBIC DIGESTION OF ORGANIC

3 MATERIALS.