
Ecology & Parks Committee

HB 1135

Brief Description: Exempting agricultural anaerobic digesters from solid waste handling permitting.

Sponsors: Representatives McCoy, Chase, Kenney, Hinkle and Nelson.

<p style="text-align: center;">Brief Summary of Bill</p> <ul style="list-style-type: none">• Exempts anaerobic digesters from solid waste permitting if the anaerobic digester meets certain requirements.

Hearing Date: 1/20/09

Staff: Jaclyn Ford (786-7339)

Background:

Solid Waste Permits

Most facilities that handle solid waste must maintain a solid waste handling permit from the local health department which can issue a permit only after consulting with the Department of Ecology (DOE). Some solid waste handling facilities are exempt from this requirement. These include facilities that present little or no environmental risk, or that satisfy environmental performance requirements established for similar facilities. Similarly, a local health department may defer permitting requirements for certain facilities that have obtained other permits that regulate air, water, or the environment.

Anaerobic Digestion

Anaerobic digestion is a series of processes in which microorganisms break down biodegradable material in the absence of oxygen. It is particularly suited to wet organic material and is commonly used for effluent and sewage treatment. A codigestion or cofermentation plant is typically an agricultural anaerobic digester that accepts two or more input materials for simultaneous digestion.

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Anaerobic digestion facilities produce biogas. The methane in biogas can then be burned to produce both heat and electricity. Excess electricity can be sold to suppliers or put into the local grid.

Digestate is the remnants of the original material put into the digesters that the microbes cannot use. Digestate can come in three forms: fibrous, liquor, or a sludge-based combination of the two. Digestate liquor may be used as a soil fertilizer.

Summary of Bill:

The DOE and the Department of Agriculture, in consultation with the Department of Health must write guidelines for the anaerobic codigestion of livestock manure and certain organic waste-derived materials.

The anaerobic digesters that meet certain criteria are exempt from needing a solid waste permit. The criteria includes: (1) the anaerobic digester processes primarily livestock manure; (2) the anaerobic digester also processes organic waste-derived materials; (3) the anaerobic digester is constructed and operated in accordance with the National Resources Conservation Service standards; (4) all liquid and solid digestate is handled as a dairy nutrient or is tested to not demonstrate a risk to public health; and (5) the operator submits an annual report to the local health department that quantifies and characterizes the non-manure waste received.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.