

1 **Animal Composting Amendments**

2025 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Michael L. Kohler**

Senate Sponsor: Derrin R. Owens

3 **LONG TITLE**

4 **General Description:**

5 This bill addresses farm or ranch operations that relate to animal composting.

6 **Highlighted Provisions:**

7 This bill:

8 ▶ modifies the definition of a commercial nonhazardous solid waste treatment, storage, or  
9 disposal facility to exclude certain farm or ranch operations; and

10 ▶ makes technical changes.

11 **Money Appropriated in this Bill:**

12 None

13 **Other Special Clauses:**

14 None

15 **Utah Code Sections Affected:**

16 AMENDS:

17 **19-6-102**, as last amended by Laws of Utah 2023, Chapter 206

19 *Be it enacted by the Legislature of the state of Utah:*

20 Section 1. Section **19-6-102** is amended to read:

21 **19-6-102 . Definitions.**

22 As used in this part:

23 (1) "Board" means the Waste Management and Radiation Control Board created in Section  
24 19-1-106.

25 (2) "Closure plan" means a plan under Section 19-6-108 to close a facility or site at which  
26 the owner or operator has disposed of nonhazardous solid waste or has treated, stored, or  
27 disposed of hazardous waste including, if applicable, a plan to provide postclosure care  
28 at the facility or site.

29 (3)(a) "Commercial nonhazardous solid waste treatment, storage, or disposal facility"

30 means a facility that receives, for profit, nonhazardous solid waste for treatment,

31 storage, or disposal.

32 (b) "Commercial nonhazardous solid waste treatment, storage, or disposal facility" does  
33 not include a commercial facility that:

34 (i) receives waste for recycling;

35 (ii) receives waste to be used as fuel, in compliance with federal and state  
36 requirements;

37 (iii) is solely under contract with a local government within the state to dispose of  
38 nonhazardous solid waste generated within the boundaries of the local  
39 government; [øf]

40 (iv) receives only waste from the exploration and production of oil and gas[-] ; or

41 (v) is a farm or ranch operation that receives animal mortality or animal offal waste:

42 (A) for the purpose of composting or beneficial reuse; and

43 (B) from a facility that processes ~~§~~→ [~~the animal~~] **one or more**

43a **animals** ←~~§~~ supplied by the farm or ranch

44 operation.

45 (4) "Construction waste or demolition waste":

46 (a) means waste from building materials, packaging, and rubble resulting from  
47 construction, demolition, remodeling, and repair of pavements, houses, commercial  
48 buildings, and other structures, and from road building and land clearing; and

49 (b) does not include:

50 (i) asbestos;

51 (ii) contaminated soils or tanks resulting from remediation or cleanup at a release or  
52 spill;

53 (iii) waste paints;

54 (iv) solvents;

55 (v) sealers;

56 (vi) adhesives; or

57 (vii) hazardous or potentially hazardous materials similar to that described in  
58 Subsections (4)(b)(i) through (vi).

59 (5) "Director" means the director of the Division of Waste Management and Radiation  
60 Control.

61 (6) "Disposal" means the discharge, deposit, injection, dumping, spilling, leaking, or  
62 placing of any solid or hazardous waste into or on land or water so that the waste or any  
63 constituent of the waste may enter the environment, be emitted into the air, or

- 64 discharged into any waters, including groundwaters.
- 65 (7) "Division" means the Division of Waste Management and Radiation Control, created in  
66 Subsection 19-1-105(1)(d).
- 67 (8) "Generation" or "generated" means the act or process of producing nonhazardous solid  
68 or hazardous waste.
- 69 (9)(a) "Hazardous waste" means a solid waste or combination of solid wastes other than  
70 household waste that, because of its quantity, concentration, or physical, chemical, or  
71 infectious characteristics may cause or significantly contribute to an increase in  
72 mortality or an increase in serious irreversible or incapacitating reversible illness or  
73 may pose a substantial present or potential hazard to human health or the  
74 environment when improperly treated, stored, transported, disposed of, or otherwise  
75 managed.
- 76 (b) "Hazardous waste" does not include those wastes listed in 40 C.F.R. Sec. 261.4(b).
- 77 (10) "Health facility" means a:
- 78 (a) hospital;
- 79 (b) psychiatric hospital;
- 80 (c) home health agency;
- 81 (d) hospice;
- 82 (e) skilled nursing facility;
- 83 (f) intermediate care facility;
- 84 (g) intermediate care facility for people with an intellectual disability;
- 85 (h) residential health care facility;
- 86 (i) maternity home or birthing center;
- 87 (j) free standing ambulatory surgical center;
- 88 (k) facility owned or operated by a health maintenance organization;
- 89 (l) state renal disease treatment center, including a free standing hemodialysis unit;
- 90 (m) the office of a private physician or dentist whether for individual or private practice;
- 91 (n) veterinary clinic; or
- 92 (o) mortuary.
- 93 (11) "Household waste" means any waste material, including garbage, trash, and sanitary  
94 wastes in septic tanks, derived from households, including single-family and  
95 multiple-family residences, hotels and motels, bunk houses, ranger stations, crew  
96 quarters, campgrounds, picnic grounds, and day-use recreation areas.
- 97 (12) "Infectious waste" means a solid waste that contains or may reasonably be expected to

98 contain pathogens of sufficient virulence and quantity that exposure to the waste by a  
99 susceptible host could result in an infectious disease.

100 (13) "Manifest" means the form used for identifying the quantity, composition, origin,  
101 routing, and destination of hazardous waste during its transportation from the point of  
102 generation to the point of disposal, treatment, or storage.

103 (14) "Mixed waste" means material that is a hazardous waste as defined in this chapter and  
104 is also radioactive as defined in Section 19-3-102.

105 (15) "Modification request" means a request under Section 19-6-108 to modify a permitted  
106 facility or site for the purpose of disposing of nonhazardous solid waste or treating,  
107 storing, or disposing of hazardous waste.

108 (16) "Operation plan" or "nonhazardous solid or hazardous waste operation plan" means a  
109 plan or approval under Section 19-6-108, including:

110 (a) a plan to own, construct, or operate a facility or site for the purpose of transferring,  
111 treating, or disposing of nonhazardous solid waste or treating, storing, or disposing of  
112 hazardous waste;

113 (b) a closure plan;

114 (c) a modification request; or

115 (d) an approval that the director is authorized to issue.

116 (17) "Permit" includes an operation plan.

117 (18) "Permittee" means a person who is obligated under an operation plan.

118 (19)(a) "Solid waste" means garbage, refuse, sludge, including sludge from a waste  
119 treatment plant, water supply treatment plant, or air pollution control facility, or other  
120 discarded material, including solid, liquid, semi-solid, or contained gaseous material  
121 resulting from industrial, commercial, mining, or agricultural operations and from  
122 community activities.

123 (b) "Solid waste" does not include solid or dissolved materials in domestic sewage or in  
124 irrigation return flows or discharges for which a permit is required under Title 19,  
125 Chapter 5, Water Quality Act, or under the Water Pollution Control Act, 33 U.S.C.  
126 Sec. 1251 et seq.

127 (c) "Solid waste" does not include metal that is:

128 (i) purchased as a valuable commercial commodity; and

129 (ii) not otherwise hazardous waste or subject to conditions of the federal hazardous  
130 waste regulations, including the requirements for recyclable materials found at 40  
131 C.F.R. 261.6.

- 132 (d) "Solid waste" does not include post-use polymers or recovered feedstock, as those  
133 terms are defined in Section 19-6-502, converted or held at an advanced recycling  
134 facility.
- 135 (20) "Solid waste management facility" means the same as that term is defined in Section  
136 19-6-502.
- 137 (21) "Storage" means the actual or intended containment of solid or hazardous waste either  
138 on a temporary basis or for a period of years in such a manner as not to constitute  
139 disposal of the waste.
- 140 (22)(a) "Transfer" means the collection of nonhazardous solid waste from a permanent,  
141 fixed, supplemental collection facility for movement to a vehicle for movement to an  
142 offsite nonhazardous solid waste storage or disposal facility.
- 143 (b) "Transfer" does not mean:
- 144 (i) the act of moving nonhazardous solid waste from one location to another location  
145 on the site where the nonhazardous solid waste is generated; or
- 146 (ii) placement of nonhazardous solid waste on the site where the nonhazardous solid  
147 waste is generated in preparation for movement off that site.
- 148 (23) "Transportation" means the off-site movement of solid or hazardous waste to any  
149 intermediate point or to any point of storage, treatment, or disposal.
- 150 (24) "Treatment" means a method, technique, or process designed to change the physical,  
151 chemical, or biological character or composition of any solid or hazardous waste so as to  
152 neutralize the waste or render the waste nonhazardous, safer for transport, amenable for  
153 recovery, amenable to storage, or reduced in volume.
- 154 (25) "Underground storage tank" means a tank that is regulated under Subtitle I of the  
155 Resource Conservation and Recovery Act, 42 U.S.C. Sec. 6991 et seq.
- 156 **Section 2. Effective Date.**
- 157 This bill takes effect on May 7, 2025.