

## SB 68 Dead Animal Composting – Fact Sheet

SENATE AGRICULTURE

EXHIBIT NO. #2

DATE 1-13-08

BILL NO. SB68

### Provisions:

- Amend section 75-10-213, MCA.
- A Housekeeping Bill revising the Solid Waste Management Act to allow the placement of dead animals for the purpose of composting toward beneficial use rather than prescribing burial. This revision would authorize the Department of Environmental Quality to adopt rules for siting and operational criteria for dead animal composting facilities.

### Implementation:

- The Department of Environmental Quality, Waste & Underground Tank Management Bureau, Solid Waste Management Program (SWP) will administer the regulatory changes associated with this legislation.

### History:

- **75-10-213. Unlawful disposition of dead animals -- exception.** It is unlawful to:
  - (1) place all or any part of a dead animal in any lake, river, creek, pond, reservoir, road, street, alley, lot, or field;
  - (2) place all or any part of a dead animal within 1 mile of the residence of any person unless the dead animal or part of a dead animal is burned or buried at least 2 feet underground; or
  - (3) being the owner, permit all or any part of a dead animal to remain in the places specified in subsections (1) and (2) of this section except as provided in subsection (2) of this section.
- The Department did not consider composting as disposal and, in 2007; licensed twelve dead animal compost facilities to be utilized for the treatment of road kill animal carcasses across the State by the Montana Department of Transportation (MDT). The road kill composting licenses are approved at MDT road maintenance facilities and some are within 1 mile of residential dwellings. Some of these facilities have commenced operating and have done so without receiving any complaints by neighboring properties.
- The option to compost road kill carcasses was the result of a collaborative effort between the DEQ and the MDT to deal with the disposal of the high number of road kill carcasses across Montana. Typically, deer and other animals killed by motor vehicles on state highways are disposed of in landfills at a high cost to the state annually; taken to nearby public lands for disposal; or, left in place by the side of the highway. As demonstrated in several other states and by an actual full scale study site in Victor, Montana, road kill carcasses can be composted to a beneficial soil amendment material within 4 to 6 months of beginning the compost process.

### Advantages:

- By changing the statute, animal composting by the MDT or other entities occur in locations where it is not cost prohibitive due to transportation costs. The currently licensed animal compost facilities are located at MDT district facilities across the state.
- Composting road kill carcasses significantly reduces the disposal costs incurred by the state for the disposal of the carcasses at solid waste landfills.

- The compost produced is a beneficial product and is utilized by the MDT at significant cost saving to the state, on road cut and other reclamation projects where the establishment of vegetation is important.

**Disadvantages:**

- A properly operated compost facility is benign on the environment and therefore there are no anticipated disadvantages from changing the statute.