

On-Farm Composting in New Jersey

This guide summarizes composting activities on land actively devoted to agricultural or horticultural use outlined in the regulatory framework under the (NJDEP) [Recycling Rules at N.J.A.C. 7:26A¹](#), the New Jersey Farmland Assessment Act N.J.S.A. 54:4-23.5 et. seq., and the New Jersey Right to Farm Act N.J.A.C. 2:76.

DEFINITIONS

FARM FEEDSTOCKS: Waste materials derived from crop production, occurring on farms, nurseries, and greenhouses

- *Dry livestock manure
- *Animal feed
- *Cornstalks
- *Hulls/tree waste
- *Silage/Hay
- *Crop residues

YARD TRIMMINGS:

- *Leaves/Brush
- *Woodchips
- *Tree parts
- *Grass clippings
- *Shrubbery
- *Garden waste

EXCLUDED: Excluded means composting activities DO NOT require approval from, or formal notification to NJDEP Division of Sustainable Waste Management. Must occur on land that is “actively devoted to agricultural or horticultural use” and incorporate the use of low-level technology (e.g. windrows).

Composting solely on-farm generated feedstocks:

- No imported materials or grass clippings
- Process less than 5,000 yd³/yr
- Compost area does not exceed 3 acres
- Windrow dimension **not to exceed** 6 ft height x 14 ft. width

Importation of source separated food waste for livestock feed:

- Requires approval from NJDA-Division of Agricultural and Natural Resources
 - *NJDA not currently accepting approvals
- Complies with the Animal Waste Management Rules



EXEMPT:

Exempt composting activities must occur on land “actively devoted to agricultural and horticultural use” and identified within a Farm Conservation Plan (FCP). Operators are required to complete and submit a Notification of Exempt Activities Form to NJDEP and **MUST** have prior approval from host Municipality’s zoning officer.

Mulching of imported leaves: Exemption #12

- Spread on fields within (7) days of delivery, depth limited to (6) inches
- Incorporated into soil by next season

Composting of yard trimmings applied on ag land: Exemption #18

- Materials placed in windrows within (7) days of receipt
- Windrow setback requirements:
 - 50 ft from property line
 - 150 ft if neighboring residence
 - 500 ft from property line if grass clippings are used



EXEMPT-NOTIFICATION & TRAINING (N&T):

Composting activities require submission of Notification of Exempt Activities Form to NJDEP and local authorities (County and Municipality). The operator must complete a training course within 1 year (e.g., Rutgers Cooperative Extension).

Importation of yard trimmings for composting: Exemption #13

- **MUST** be in District County Solid Waste Management Plan via Administrative Action (AA)
- Limits import to 10,000 yd³/yr
- Windrow setbacks applicable (**note above**)
- Grass clippings must be less than 10% by volume of all yard trimmings received

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Management of Farm Feedstocks on Farms: Use is subject to strict limitations, including submission of Notification of Exempt Recycling Activities Form.

APPLICABLE EXEMPTIONS PERTAINING TO FARM FEEDSTOCKS:

- **Exemption #2-** Food waste generated on-site may be composted without NJDEP approval for re-use on-site, *DOES NOT* require a Farm Conservation Plan, or training
- **Exemption #21-** Recycling source separated Class C recyclable materials generated, and processed exclusively on-site into a product for sale or use off-site, *DOES NOT* require a Farm Conservation Plan, or training
- **Exemption #23-** Receipt and composting of up to 10,000 yd³ /yr of farm feedstock, *REQUIRES* a Farm Conservation Plan, and training

Sale of On-Farm Compost: Must adhere to the adopted Agricultural Management Practice (AMP): on-farm composting operation (N.J.A.C. 2:76-2A.8). *PERMITTED* under **Exemption #13** and **Exemption #23**.

FARMS MAY SELL OR DISTRIBUTE COMPOST OFF-SITE **ONLY** IF ALL THE FOLLOWING APPLIES:

- Compost is made exclusively of farm feedstock
- The farm *qualifies* as a “Commercial Farm” under the NJ Right to Farm Act (N.J.A.C. 2:76-2.8)
- Complies with the standard outlined within the AMP
- External inputs are limited to defined soil amendments (phosphate, lime)
- Preserved Farms **CANNOT** sell compost made from imported feedstocks

EXEMPTION NUMBER	EXEMPTION DESCRIPTION
2	Recycling of source separated recyclable materials which are generated, processed, and reused as a product exclusively at the point of generation. Petroleum contaminated soils are prohibited, and materials may not be received from off-site.
12	Leaf mulching on land deemed actively devoted to agricultural or horticultural use. Layered leaves must be incorporated into the soil by the next tillage season. <i>REQUIRES</i> a Farm Conservation Plan
13	Receipt of yard trimmings for composting. No more than 10,000 yd ³ (Cubic Yards) of yard trimmings can be received per year. Operation MUST be included in the District Solid Waste Management Plan via Administrative Action, and training within a year of commencement. NOTE: Sale of compost is allowed under this exemption- <i>IF</i> -it’s not occurring on a Preserved Farm
18	Receipt of yard trimmings for composting where the finished compost product is applied on-site on land deemed actively devoted to agricultural or horticultural use, <i>REQUIRES</i> a Farm Conservation Plan, or on mined lands being restored <i>REQUIRES</i> an approved restoration plan.
21	Recycling of source-separated Class C recyclable materials that are generated and processed on site into a product for sale and/or use off-site.
23	Receipt of farm feedstocks on a farm for composting where less than 10,000 yd ³ are received per year. <i>REQUIRES</i> a Farm Conservation Plan and training. NOTE: Sale of compost is allowed under this exemption

CONTACT INFORMATION FOR QUESTIONS:

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