



September 25, 2025

Michigan Senate Committee on Energy
Room 403, State Capitol
100 S. Capitol Avenue
Lansing, MI 48933

RE: The American Biogas Council Supports HB4265 and HB4257

Dear Chair McCann,

The American Biogas Council (ABC) is a nonprofit trade association representing more than 400 member companies and over 6,000 individuals spanning the full value chain of the U.S. biogas industry, including farmers, energy producers, financiers, waste and recycling companies, and municipalities. We write today in support of HB 4265 and HB 4257, which together establish a reasonable and science-based regulatory framework to help Michigan recycle its organic waste and advance its recycling goals. Each year, Michigan generates over 8 million tons of animal manure from dairy, swine, and poultry farms, approximately 2.3 million tons of food waste, and more than 180 trillion gallons of wastewater, volumes that underscore the urgent need for effective and sustainable organic waste management solutions.

When Michigan passed its recycling reform package in 2022, the state established a target 45% recycling rate by 2030, which seeks in part to divert these organic wastes from landfills. These recycling laws contain incentives and regulatory tools to spur the necessary activity and investment in recycling systems. However, regulatory barriers have emerged that prevent food waste and food processing residues from being efficiently recycled. One of the most effective systems to manage organic waste is anaerobic digestion. Anaerobic digestion is a simple, biological process of breaking down organic wastes in a closed, airtight system. Microorganisms break down or “digest” organic material without the presence of oxygen. The residual material is a mixture of water and fiber, similar to compost, known as digestate.

These bills seek to define digestate, for the first time in Michigan law, so that it can be properly regulated. The bills clearly define the boundaries of what feedstocks are allowed to be recycled in digesters and maintains the registration requirement and design criteria for digesters that was previously established under Part 115. These bills provide additional safeguards to protect the environment, by requiring certification of the digestate through rigorous national testing programs equal to or more protective than existing testing for wastewater biosolids applied to land. These bills provide these protections while recognizing the nutrient and organic matter value digestate provides to the agricultural sector. The bills ensure that digestate is managed responsibly as a soil amendment, leveraging the existing laws and regulations applicable to agricultural fertilizers.

These bills do not lessen oversight of digestate. Existing law and regulation for biosolids and manures remain unchanged. In fact, **these bills establish additional oversight and clear requirements to encourage food waste recycling** and the responsible use of digestate derived from food waste. We understand there has been vocal opposition, and we want to ensure the Committee has the correct information about what these bills do. They do not remove regulatory authority; rather, they provide a consistent, science-based framework that supports enforcement while enabling the state’s food processors, digester owners, and farmers to continue recycling food wastes. Without these bills, these stakeholders are left to unpredictable and unreasonable

interpretations of risk by regulators interpretations that prevent food wastes from being land applied and effectively lock food waste into landfills.

We respectfully request that you bring HB 4265 and HB 4257 forward for a hearing and a vote. These bills represent reasonable, predictable oversight of a much-needed industry in Michigan, and their passage is essential to enabling the responsible recycling of organic waste. We strongly support this legislation and encourage the Committee to take timely action to advance these important bills.

Sincerely,

A handwritten signature in black ink, reading "Heather Dziedzic". The signature is written in a cursive style with a large, stylized initial 'H'.

Heather Dziedzic
Vice President of Policy
American Biogas Council