

Maine Environmental Guidance for the Cannabis Sector

Maine Department of Environmental Protection (DEP) under the Solid [Waste Management Rules](#) regulates waste generated by licensed¹ cannabis cultivation facilities, product manufacturing facilities, sample collectors, testing facilities and stores that generate waste including waste with cannabis components.

The purpose of this guidance is to foster better waste management plan development. It also promotes safe, healthy, and environmentally sustainable Best Management Practices (BMPs) for cannabis waste by all cannabis licensees, while protecting Maine's natural resources by:

- Composting and;
- Beneficially reusing cannabis waste.

Under the [Office of Cannabis Policy](#) (OCP)'s rule, any cannabis waste containing more than 0.3% Tetrahydrocannabinol (THC) needs:

- to be transported by an authorized entity or (i.e., licensed individuals, Drug Enforcement Agency staff, or other law enforcement personnel) or
- be "rendered unusable" prior to leaving a cannabis facility = cannabis waste ground and mixed at a 50:50 ratio with an authorized waste material, such as animal manures, food waste, and yard waste.

Local Regulations - Authority

Please check with your local municipality regarding land use regulations and ordinances that could potentially be further detailed and restrictive.

Cannabis Solid Waste Handling Options

Composting Options

Given the success of DEP cannabis composting studies we encourage composting of cannabis waste if:

- it does not contain any solvents or chemical extraction agents.
- the composting operation meet regulatory-based exemptions; and
- the THC would be adequately degraded to allow widespread, unregulated use of the final compost produced provided.

On-Farm Composting

On Farm Where Grown

Any cannabis waste material that is grown and processed on the same farm, and returned to the soil as a fertilizer (including as a compost) will be considered an Agricultural Waste² and be exempt from further regulation by the DEP.

¹ [LD 719, An Act Regarding Adult Use of Marijuana](#)

² As defined in [06-096 C.M.R. ch. 400, Agricultural Waste](#), in part, means wastes that result from agricultural activities (the growing of vegetables, fruits, seeds, nursery crops, poultry, livestock, field crops, cultivated or pasture hay and farmlot wood products, including Christmas trees) that are returned to the soils as fertilizers. It does not include any material regulated as a residual under [06-096 C.M.R. ch. 419](#).



On Farm Other Than Where Grown

Cannabis waste material that is taken off the farm where the cannabis is grown is considered a Type IA Residual³:

- Agricultural Composting Operations⁴ may accept any amount of Type IA Residuals as long as at least 70% of the finished compost produced from any volume of cannabis waste at an Agricultural Composting Operation is used at appropriate agronomic rates on the farm that produced the compost within two years after it is produced;
- The facility is operated in accordance with a Compost Management Plan (CMP) approved by the [Maine Department of Agriculture, Conservation and Forestry](#); and
- Additionally, any farm can accept up to 10 cubic yards of cannabis waste in any 30-day consecutive period without a CMP. If the above conditions are not met, a DEP compost facility license will be required.

Off-Farm Composting

[DEP's composting rules \(06-096 C.M.R. ch. 410\)](#) contain exemptions that may be applicable to cannabis waste composted at places other than Agricultural Composting Operations. The off-farm composting of less than 10 cubic yards of cannabis waste in any 30-day consecutive period is exempt from DEP regulation. Facilities wanting to compost cannabis waste at rates greater than this limit must obtain a DEP compost facility license.

Disposal Options

The Department highly encourages cannabis waste be composted and beneficially reused. However, it can legally be disposed of at solid waste landfills/incinerators licensed by the DEP to accept municipal solid waste; processed at a licensed aerobic digestion facility licensed to accept organic materials from the municipal solid waste stream.

Wastewater Disposal

Prior to operational startup, wastewater from cannabis grow and extraction facilities needs to be characterized to ensure it meets the criteria for wastewater disposal. DEP staff can assist with the characterization and suggest treatment options.

Other Process and Component Waste

If the cannabis extraction process produces a waste that contains chemical extraction agents or solvents, it may be considered a hazardous waste and be subject to [Maine's Hazardous Waste Management Rules](#). Component waste including but not limited to vaping materials may also be subject to [Maine's Hazardous Waste Management Rules](#).

Technical Assistance

Composting and anaerobic digestion:

Mark King 207-592-0455
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Other waste processes and treatment:

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³As defined in [06-096 C.M.R. ch. 400](#), Type IA Residual means a residual from a known source that does not contain hazardous substances above risk based standards in [06-096 C.M.R. ch. 418](#) Appendix A and that has a carbon to nitrogen ratio greater than or equal to 25:1, such as leaf and yard waste, wood chips and some vegetative wastes.

⁴As defined in [06-096 C.M.R. ch. 400](#), Agricultural Composting Operation means composting that takes place on a farm and uses only animal manure, animal carcasses and offal, fish waste, leaves, wood chips, animal bedding and other vegetative waste, produce and other vegetable and food waste.