Draft Rule Changes for Composting

For Discussion Only

September 7, 2023, SWMAC

~~252:515-43-31. Exempt~~

~~Non-commercial composting facilities that receive less than fifty (50) tons or one hundred (100) cubic yards of Type 1 and/or Type 2 feedstock per year, generated~~ **~~on-site~~**~~, are considered exempt from the permitting and plan requirements of OAC 252:515-3-1, but may be subject to other DEQ permits or requirements. Examples of these types of facilities include, but are not limited to household or backyard composting, neighborhood composting, nurseries, greenhouses, and garden stores composting.~~

**252:515-43-31. Small-scale Permit Exemptions**

**(a) Feedstock generated On-site.** Non-commercial composting facilities that receive less than fifty (50) tons or one hundred (100) cubic yards of Type 1 and/or Type 2 feedstock per year, generated on-site, are considered exempt from the permitting requirements of OAC 252:515-3-1, Examples of these types of facilities include, but are not limited to household or backyard composting, nurseries, greenhouses, and garden stores composting.

**(b)**  **Feedstock generated** **Off-site** Non-commercial composting facilities that receive up to one hundred (100) tons or two hundred (200) cubic yards of Type 1 and/or Type 2 feedstock per year, any amount of which is generated off-site, may submit a request to DEQ for review and approval before being considered exempt from the permitting requirements of OAC 252:515-3-1.

(1) the exemption request must include a basic operational plan which includes controls for nuisance odors, vectors, contact water, and run-off;

(2) facilities must maintain a daily log of the feedstock types and weight or volume utilized from both on-site and off-site generators;

(3) after the first year, and annually thereafter, facilities must submit to DEQ a request to continue their exemption.

**(c)** **Other requirements.** Those facilities determined to be exempt from permitting requirements of OAC 252:515-3-1 may still be subject to other DEQ permits or requirements.