

# **Informal Workshop on Proposed Compostable Materials, Transfer/Processing Regulations**

Thursday, September 25, 2014

2:30 p.m. – 4:30 p.m.

Cal/EPA Headquarters, Conference Room 550

1001 I Street

Sacramento, California

# Workshop Agenda

1. Introductions
2. Workshop Objectives
3. Formal Rulemaking Process
4. Proposed Regulations: Key Issues *(No changes since October 2013)*
5. Discussion/Q&A
5. Next Steps
6. Adjourn

# Introductions

# Workshop Objectives

Provide status update on initiating the formal rulemaking process

Discuss key issues and answer questions

# Formal Rulemaking Process

Staff developed:

- Economic and Fiscal Impact Analysis
- Initial Statement of Reasons

Upcoming:

- 45 day comment period
- Public Hearing

# **Proposed Regulations: Key Issues**

Food Material/Vegetative Food Material

Physical Contamination Limits (0.1% by weight)

Land Application of Compostable Materials

Odor

In-Vessel Digestion Regulations

Solid Waste Facility Permit Application

# Existing Food Material Composting Regulations

Existing definition is general

Does not distinguish between various food waste types

Food material composting requires a full permit



# Proposed Food Material Composting Regulations

Expands food material definition; adds “vegetative food material”

Allows composting of vegetative food material at a “Vegetative Food Material Composting Facility”

Food material composting still requires a Compostable Materials Handling Facility Permit

# Proposed Compostable Material Handling Tiers

Excluded Tier	Enforcement Agency Notification Tier	Registration Permit Tier	Full Solid Waste Facility Permit
<p>Agricultural material derived from an agricultural site and returned to the same site</p> <p>Vermicomposting</p> <p>Mushroom farming</p> <p>Small-scale composting (&lt; 100 yd<sup>3</sup> or 500 sq. feet)</p> <p>Refer to Section 17855 for complete list</p>	<p>Agricultural Material Composting Operations (all)</p> <p>Green Material Composting Operations (&lt; 12,500 yd<sup>3</sup>)</p> <p>Biosolids Composting Operations at POTWs (all)</p> <p>Research Composting Operations</p> <p>Chipping and Grinding Operations (&lt; 200 tpd)</p>	<p><b>Vegetative Food Material Composting Facilities (&lt; 12,500 yd<sup>3</sup>)</b></p> <p>Chipping and Grinding Facilities (200 tpd &lt; x &lt; 500 tpd)</p>	<p>Composting Facilities (all) (e.g. biosolids, food material, digestate, mixed solid waste)</p> <p>Green Material Composting Facilities (&gt; 12,500 yd<sup>3</sup>)</p> <p>Vegetative Food Material Composting Facilities (&gt; 12,500 yd<sup>3</sup>)</p> <p>Chipping and Grinding Facilities (&gt; 500 tpd)</p>

# Physical Contaminants in Compostable Material

Current regulations do not contain a limit for physical contaminants in compostable material products



# Physical Contaminants in Compostable Material

Require **compost** to contain **no more than 0.1%**  
**by weight of physical contaminants** prior to  
leaving a compost facility

0.1% physical contaminant limit would also  
apply to **all compostable material that is land  
applied**

# Existing Land Application Regulations

Under existing regulations, land application is considered “beneficial use” (and not “disposal”) if it meets California Department of Food & Agriculture requirements

Need better method to determine when land application is considered disposal



# Proposed Land Application Regulations

- 0.1% physical contaminant limit
- Maximum metals concentrations
- Pathogen density requirements
- Standards for application frequency and depth

# Existing Odor Regulations

Approaches to verification of odor complaints at compost sites are not consistent statewide



# Proposed Odor Regulations

Minimize odor impacts so as to not cause a “nuisance”

EA must investigate odor complaints as soon as practical, and include specified information (e.g., date, time, climatic conditions, odor characteristics and intensity) in the investigation

If Odor Impact Minimization Plan is being followed but odor impacts are still occurring, the EA may require\* the operator to:

- Prepare an Odor Best Management Practice Feasibility Report
- Employ additional reasonable and feasible measures to minimize odors

*\* Operator may also voluntarily prepare an Odor BMP Feasibility Report and employ additional measures to minimize odors*

# Existing Anaerobic Digestion Regulations

If feedstock is compostable material, then facility is regulated under Compostable Materials Handling regulations

If feedstock is not compostable material, then activity is regulated under Transfer/Processing regulations



# Proposed In-Vessel Digestion Regulations

Stand-alone set of In-vessel Digestion regulations

Combination of Transfer/Processing & Compostable Material Handling

Handling of feedstock and residual waste materials will be subject to standards adapted from Transfer/Processing requirements

End products will be subject to standards adapted from Compostable Material Handling requirements

# Proposed In-Vessel Digestion Regulatory Tiers

Excluded Tier	Enforcement Agency Notification Tier	Registration Permit Tier	Full Solid Waste Facility Permit
<p data-bbox="260 449 575 521"><b>Anaerobically digestible materials at POTWs</b></p> <p data-bbox="233 625 602 696">Ag material derived from ag site &amp; returned to same site</p> <p data-bbox="226 801 610 915">In-vessel digestion activities with less than 100 cubic yard on-site capacity</p> <p data-bbox="233 976 602 1176">Handling activities that are already subject to more stringent handling requirements under Federal or State law</p>	<p data-bbox="678 449 1012 521">Limited Volume In-Vessel Digestion Operation</p> <p data-bbox="658 625 1031 696">Research In-Vessel Digestion Operations</p> <p data-bbox="691 801 1018 872"><b>Dairy In-Vessel Digestion Operations</b></p> <p data-bbox="658 953 1031 1025">Distribution Center In-Vessel Digestion Operations</p>	<p data-bbox="1108 449 1360 564">Medium Volume In-Vessel Digestion Facility</p>	<p data-bbox="1431 449 1676 564">Large Volume In-Vessel Digestion Facility</p>

# POTW Exclusion

POTW receives vehicle-transported anaerobically-digestible material that is **co-digested** with wastewater at the POTW

Anaerobically digestible material must be pumped or off-loaded directly into a covered, leak-proof container and then pumped, or diluted or slurried and then pumped, and co-digested in an anaerobic digester at the POTW

POTW develops Standard Operating Procedures (SOPs) for acceptance of anaerobically digestible material and POTW notifies RWQCB that SOPs are being implemented

Standard Provision (permit condition) reflects the acceptance of anaerobically digestible material

# Dairy In-Vessel Digestion Operations

Applies to dairies that import solid waste to co-digest with manure and other agricultural materials in accordance with WDRs

Enforcement Agency Notification Tier

EA inspections:

- Year 1 – at least monthly
- Year 2 – quarterly, with EA approval and Department concurrence
- Year 3+ – annually, with EA may approval and Department concurrence

# Solid Waste Facility Permit Application

Meaning of the term “permitted maximum tonnage” on Form E-1-77 not clear

Clarified by adding two new sections to Form E-1-77

1. Part 3.A.1. – list solid waste and other material authorized to receive
2. Part 3.A.2. – list requested changes or new permit information

Form E-1-77 and Instructions revised and updated

# Discussion/Q&A

Webinar participants can email questions  
and comments to:

[compost.transfer.regs@calrecycle.ca.gov](mailto:compost.transfer.regs@calrecycle.ca.gov)

# Next Steps

# Information on Rulemaking Process

**Compostable Materials, Transfer/Processing Rulemaking**

<http://www.calrecycle.ca.gov/Laws/Rulemaking/Compost/default.htm>

**Compostable Materials, Transfer/Processing Rulemaking Listserv**

<http://www.calrecycle.ca.gov/Listservs/>

Send comments to Ken Decio at [Ken.Decio@CalRecycle.ca.gov](mailto:Ken.Decio@CalRecycle.ca.gov)

**Adjourn**