

PROPOSED AMENDED RULE 1133.1 CHIPPING AND GRINDING OPERATIONS

[Rule index to be added after Amendment]

(a) Purpose

The purpose of this rule is to prevent inadvertent decomposition occurring during eChipping and gGrinding Operationsactivities, including sStockpile operations.

(b) Applicability

This rule applies to owners and operators of eChipping and gGrinding Operations that are not subject to Rule 1133.2 – Emission Reductions from Co-composting Operations or Rule 1133.3 – Emission Reductions from Composting Operations, activities to produce materials other than active or finished compost, unless otherwise exempted under subdivision (f) of this rule. The requirements of Rule 403 – Fugitive Dust, also apply to these activities.

(c) Definitions

For the purposes of this rule, the following definitions shall apply:

- (1) — ~~ACTIVE COMPOST~~ is material that is in the process of being rapidly decomposed and is biologically unstable. Active compost is generating temperatures of at least 122 degrees Fahrenheit during decomposition. Active compost includes, but is not limited to, pathogen-reduced mulch.
- (2) — ~~AGRICULTURAL CHIPPING AND GRINDING~~ is any chipping and grinding activity conducted at an agricultural site where organic waste material is generated on-site by the production and/or processing of farm products, and the chipped and ground organic waste material is used on-site.
- (1) AGRICULTURAL OPERATIONS are as defined in Rule 102 – Definition of Terms.
- (2) BIOMASS POWER GENERATION FACILITY is an electrical generation facility that uses biomass, which includes Greenwaste, Woodwaste, and orchard removal trees, as fuel to generate electricity.
- (3) CHIPPING AND GRINDING OPERATION is any operationactivity that mechanically reduces the size of gGreenwaste, wWoodwaste, and/or fFoodwaste.
- (4) — ~~COMPOSTING~~ is a process in which solid organic waste materials are decomposed in the presence of oxygen under controlled conditions through the action of bacteria and other microorganisms.
- (5) — ~~COMPOST OVERS~~ are the oversized woody materials that do not decompose in a typical composting cycle and are screened out of finished product at the end of

composting. Compost overs have been through the pathogen reduction process outlined in Title 14, Section 17868.3 of the California Code of Regulations.

- ~~(6)~~ ~~CURBSIDE GREENWASTE~~ is greenwaste that is collected from receptacles designated for residential household greenwaste. Curbside greenwaste also includes screened curbside greenwaste containing only grass clippings, leaves, and/or twigs that is not considered non-curbside greenwaste as defined in paragraph (e)(13).
- ~~(7)~~ ~~FINISHED COMPOST~~ is a humus-like material and/or compost overs that result from the controlled biological decomposition of organic waste materials and is biologically stable.
- ~~(4)~~~~(8)~~ FOODWASTE is any food scraps collected from the food service industry, grocery stores, or residential food scrap collection. Foodwaste also includes food scraps that are chipped and ground. Food scraps co-collected with curbside Greenwaste collection are considered Greenwaste.
- ~~(5)~~~~(9)~~ GREENWASTE is any ~~organic-waste~~ of organic origin material-generated from gardening, agriculture, or landscaping activities including, ~~but not limited to,~~ grass clippings, leaves, tree and shrub trimmings, and plant remains. Food scraps co-collected with curbside Greenwaste collection are considered Greenwaste. Small woody materials, such as prunings and trimmings up to four (4) inches in diameter, are Greenwaste. It includes curbside, non-curbside, and mixed greenwaste.
- ~~(10)~~ ~~INADVERTENT DECOMPOSITION~~ is decomposition of greenwaste and/or foodwaste associated with stockpiling greenwaste and/or foodwaste for an extended period of time, and is not considered part of normal chipping and grinding operations.
- ~~(6)~~~~(11)~~ LANDCLEARING is an operation activity where trees and plants grown at the site are cut, then chipped or ground and removed from the site to clear the site for fire protection and subsequently stored at a publicly designated site.
- ~~(12)~~ ~~MIXED GREENWASTE~~ is curbside greenwaste that is mixed with non-curbside greenwaste.
- ~~(13)~~ ~~NON-CURBSIDE GREENWASTE~~ is any greenwaste that is not collected from receptacles designated for residential household greenwaste.
- ~~(14)~~ ~~PALM CHIPPING AND GRINDING~~ is any activity that mechanically reduces the size of palm trees waste.
- ~~(7)~~~~(15)~~ PORTABLE CHIPPING AND GRINDING OPERATION is an operation that mechanically reduces the size of Greenwaste, Woodwaste, or Foodwaste operating

at valid locations with equipment registered in accordance with the Statewide Portable Equipment Registration Program (PERP), permitted for use at various locations in accordance with Regulation II – Permits, or otherwise exempt from permitting in accordance with Rule 219 – Equipment Not Requiring a Written Permit Pursuant to Regulation II.~~chipping and grinding utilizing equipment with a manufacturer's rating of 170 brake horsepower or less.~~

~~(16) — RAINY DAY is any day with at least 0.05 inches of rain reported by the National Weather Service or a cooperative weather reporting station for the site closest to where the chipping and grinding activity occurs.~~

~~(8)(17) STOCKPILE is a supply of raw materials tipped and stored prior to being utilized on-site or removed from the site. Raw materials before and after chipping and grinding are also included.~~

~~(18) — WET WEATHER CONDITIONS are weather conditions following a rainy day not to exceed 10 days.~~

~~(9)(19) WOODWASTE is lumber, and the woody material portion of mixed demolition wastes and mixed construction wastes. Large woody materials, such as branches, tree trunks, and stumps exceeding four (4) inches in diameter are Woodwaste. Woodwaste also includes large wood materials of curbside greenwaste or mixed greenwaste that is screened or unscreened, such as tree trimmings, branches, tree trunks, stumps, and limbs exceeding 2 inches in any dimension.~~

(d) Requirements

The owner or operator of a eChipping and gGrinding Operation~~activity~~ shall ~~comply with the following requirements:~~

- ~~(1) Not accept Foodwaste shall not be taken at the facility, unless otherwise allowed by the Local Enforcement Agency to handle fFoodwaste.~~
- ~~(2) Chip or grind and utilize on-site or remove ~~curbside, non-curbside, or mixed~~ gGreenwaste from the site within 48 hours of receipt, excluding observance of official federal and state holidays, or up to seven (7) days maximum, with approval from the Local Enforcement Agency.~~

(e) Recordkeeping

The owner or operator of a Chipping and Grinding Operation shall:

- ~~(3) — Maintain all the operational records for the prior five years of operation, with the most recent two years retained at the facility, which shall be immediately available~~

upon request by the Executive Officer. The remaining three years of records shall be made available to the Executive Officer within one week of request.

~~(1)~~(4) Maintain the following records, as applicable, ~~on-site for two years:~~

- (A) A copy of the annual Chipping and Grinding Operation report submitted in accordance with subdivision (f) facility's AQMD registration and annual updates submitted in compliance with Rule 1133;
- (B) Records of date, type, and amount of ~~g~~Greenwaste received;
- (C) Records of date, type, amount of ~~g~~Greenwaste removed from the site, and location where they are transferred to;
- (D) Records of approved time extensions from the Local Enforcement Agency; ~~and Records of dates of rainy days and wet weather conditions and description of specific conditions that limited normal operations;~~
- (E) Records of temperature in accordance with paragraph (g)(3). ~~or moisture content measurements; and~~
- (F) ~~Records of dates and amount of curbside greenwaste chipped and ground.~~

~~(2)~~ Maintain records for the prior five (5) years of operation, with the most recent two (2) years retained on-site, which shall be immediately available upon request by the Executive Officer. The remaining three (3) years of records shall be made available to the Executive Officer within one (1) week of request.

~~(5)~~ The time requirements specified in paragraph (d)(2) may be extended by the number of rainy days and wet weather conditions that impede normal chipping and grinding operations provided that records are maintained in accordance with subparagraph (d)(4)(D).

(f) Reporting

The owner or operator of a Chipping and Grinding Operation shall submit to the Executive Officer annually, no later than July 1st of each calendar year, a report summarizing Chipping and Grinding Operation of the previous calendar year in a format approved by the Executive Officer, including annual totals of Greenwaste and other feedstocks received and annual totals of Chipping and Grinding Operation products removed from the site.

(e) Moisture Content Measurement

~~Moisture content will be determined by collecting at least 10 samples of chipped and ground greenwaste from various locations of the pile at a depth of at least 12 inches below pile surface. The samples shall then be mixed thoroughly and analyzed for moisture content~~

by ASTM method D4442 (December 2007), ASTM method D4444 (May 2008) or ASTM method E871-82 (December 2006).

(g)(f) Exemptions

- (1) The owner or operator of a Chipping and gGrinding Operation with a throughput of less than 100 tons per calendar year activities of greenwaste derived from the site and utilized on-site shall be exempt from the requirements of paragraphs (d)(2) and subdivisions (e) and (f), except for subparagraph (e)(1)(B) to record throughput and paragraph (e)(2) to maintain records, (d)(3), and (d)(4) provided less than 1,000 cubic yards of materials are either sold or given away.
- (2) Portable chipping and grinding, agricultural chipping and grinding, landclearing chipping and grinding, woodwaste chipping and grinding, and palm chipping and grinding activities. The owner or operator of any of the following types of operations shall be exempt from the requirements of paragraphs (d)(2) and subdivisions (e) and (f); (d)(3), and (d)(4).
 - (A) Portable Chipping and Grinding Operations.
 - (B) Agricultural Operations.
 - (C) Landclearing, provided that the public agency designating the storage site has notified the applicable fire protection agency.
 - (D) Chipping and Grinding Operations processing exclusively Woodwaste.
- (3) Chipped and ground curbside greenwaste shall be exempt from the requirements of paragraph (d)(2) provided that the moisture content is less than 30%, measured in accordance with subdivision (e) and the temperature or moisture content measurements are maintained on-site in accordance with subparagraph (d)(4)(E).
- (3)(4) The owner or operator of aA bBiomass pPower gGeneration fFacility or a facility processing organic material as a biomass fuel for a biomass power generation facility shall be exempt from the requirements of paragraph (d)(2), provided that the material temperature is maintained at below 122 degrees Fahrenheit (50 degrees Celsius) or the moisture content is less than 30%, measured in accordance with subdivision (e) and the temperature or moisture content measurements are maintained on-site in accordance with subdivision (e) paragraph (d)(4)(E). This exemption shall not apply to material processed for purposes other than biomass power generation fuel.
- (5) The operator of a landfill or biomass power generation facility shall be exempt from the requirements of paragraph (d)(4), provided that the operator does not perform chipping and grinding of greenwaste on-site.