

PROPOSED AMENDED RULE 1133: **EMISSION REDUCTIONS FROM DIRECT LAND APPLICATION COMPOSTING AND RELATED OPERATIONS – GENERAL ADMINISTRATIVE REQUIREMENTS**

[Rule index to be added after Amendment]

(a) Purpose

The purpose of this rule is to reduce emissions of volatile organic compounds and ammonia by establishing requirements and prohibitions on Organic Material for Direct Land Application. This rule sets forth administrative requirements for existing and new chipping and grinding activities and composting operations. The purpose of this rule is to create an emissions related informational database on composting and related operations through a registration process.

(b) Applicability

This rule applies to owners or operators who supply, sell, market, offer for sale, or manufacture Organic Material and are subject to any of the following: Rule 1133.1 – Chipping and Grinding Operations (Rule 1133.1), Rule 1133.2 – Emission Reductions from Co-Composting Operations (Rule 1133.2), or Rule 1133.3 – Emission Reductions from Composting Operations (Rule 1133.3). of chipping and grinding activities and composting operations unless otherwise exempt under subdivision (g).

(c) Definitions

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

- (1) ACTIVE PHASE is the portion of the composting process characterized by rapid decomposition and biological instability, generating temperatures of at least 122 degrees Fahrenheit (50 degrees Celsius). The Active Phase includes the Pathogen Reduction Process.
- ~~(1) AGRICULTURAL COMPOSTING is composting conducted in agricultural settings where the feedstock consists of wastes generated on-site by the production and processing of farm or agricultural products.~~
- (2) AGRICULTURAL OPERATIONS are as defined in Rule 102 – Definition of Terms.
- ~~(2) BACKYARD COMPOSTING is composting conducted by a household including, but not limited to, single family residences, duplexes, or apartment buildings.~~
- (3) 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.

- ~~(4)~~ BIOSOLIDS are the residual solid wastes produced by the anaerobic digestion of sewage and other Organic Waste Material at publicly owned treatment works.
- ~~(3)~~ CHIPPING AND GRINDING is any activity that mechanically reduces the size of greenwaste, woodwaste, and/or foodwaste.
- ~~(4)~~ COMMUNITY COMPOSTING is composting conducted by a residential neighborhood association using feedstock generated within the residential neighborhood to produce compost for the neighborhood's use.
- ~~(5)~~ COMPOST is a product resulting from the controlled biological decomposition of organic materials.
- ~~(5)~~ COMPOST OVERS are woody materials that do not decompose in a typical composting cycle and are screened out of Finished Compost at the end of composting. -Compost Overs have completed the Pathogen Reduction Process.
- ~~(6)~~ 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.
- ~~(7)~~ COMPOSTING OPERATIONS are facilities involved in composting organic materials including, but not limited to, greenwaste, biosolids, manure and foodwaste.
- ~~(6)~~ CURING PHASE is the portion of the composting process that begins immediately after the end of the Active Phase of composting and characterized by slower decomposition until reaching biological stability.
- ~~(7)~~ DIGESTATE is the residual solid waste produced by the anaerobic digestion of Organic Waste Material excluding sewage or Biosolids.
- ~~(8)~~ DIGESTION OPERATION is a facility that operates one or more anaerobic digesters to facilitate the decomposition of Organic Waste Material.
- ~~(9)~~ DIRECT LAND APPLICATION is the final deposition of Organic Material on a parcel of land.
- ~~(10)~~ FINISHED COMPOST is a humus-like material that results from the controlled biological decomposition of Organic Waste Material and is biologically stable. Both the Active Phase and Curing Phase of composting are required to achieve this product.
- ~~(11)~~~~(8)~~ FOODWASTE is any food scraps collected from the food service industry, grocery stores, or residential food scrap collection. Foodwaste also includes food scraps ~~foodwaste that are~~ chipped and ground. Food scraps co-collected with curbside Greenwaste collection are considered Greenwaste. ~~Foodwaste mixed with greenwaste is considered foodwaste.~~

- ~~(12)(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 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.
- ~~(13)~~ INTERMEDIATE MATERIAL is Greenwaste that has completed the Pathogen Reduction Process but is not considered Finished Compost or Compost Overs. Intermediate Material may also include Digestate if feedstock was exclusively Greenwaste and has completed the Pathogen Reduction Process.
- ~~(14)~~ MANURE is the solid waste and soiled bedding produced by livestock and zoological operations from the keeping of animals.
- ~~(10)~~ NURSERY COMPOSTING is composting conducted at a nursery to produce compost for on-site use.
- ~~(15)~~ ORGANIC MATERIAL is any solid finished product, byproduct, intermediate, or feedstock for composting. Organic Material includes Finished Compost, Compost Overs, Intermediate Material, and Organic Waste Material.
- ~~(16)~~ ORGANIC MATERIAL SUPPLIER is a facility that supplies, sells, markets, offers for sale, or manufactures Organic Material for use offsite.
- ~~(17)~~ ORGANIC WASTE MATERIAL is any waste material of organic origin that may be used as feedstock to produce Finished Compost, Compost Overs, or Intermediate Material. Organic Waste Material includes Greenwaste, both curbside and non-curbside, Woodwaste, Foodwaste, Biosolids, Digestate, and Manure.
- ~~(18)~~ PATHOGEN REDUCTION PROCESS is the process outlined in Title 14, Section 17868.3 of the California Code of Regulations.
- ~~(11)~~ PORTABLE CHIPPING AND GRINDING is chipping and grinding utilizing equipment with a manufacturer's rating of 170 brake horsepower or less.
- ~~(12)~~ RECREATIONAL FACILITIES COMPOSTING is composting conducted at parks, arboretums and other recreational facilities using feedstock generated on-site to produce compost for on-site use.
- ~~(19)~~ UNCOMPOSTED GREENWASTE is Greenwaste that has not at least completed the Pathogen Reduction Process. Intermediate Material, Finished Compost, and Compost Overs are not considered Uncomposted Greenwaste.
- ~~(20)(13)~~ 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.

(d) Requirements

No owner or operator of an Organic Material Supplier shall supply, sell, market, or offer for sale Uncomposted Greenwaste, unless:

- (1) Otherwise allowed by the Local Enforcement Agency;
- (2) The recipient of Uncomposted Greenwaste is a(n):
 - (a) Co-composting operation subject to Rule 1133.2;
 - (b) Composting operation subject to Rule 1133.3;
 - (c) Digestion Operation;
 - (d) Biomass Power Generation Facility;
 - (e) Agricultural Operation; or
 - (f) Facility located outside of South Coast AQMD; and
- (3) For supply to Agricultural Operations, the recipient of Uncomposted Greenwaste informs the owner or operator of intent to use an acceptable Direct Land Application technique, either:
 - (a) Land incorporation by tilling, injecting, or plowing that covers Uncomposted Greenwaste with soil to a depth of six (6) inches; or
 - (b) Cover Uncomposted Greenwaste with at least six (6) inches of Finished Compost or Compost Overs.

~~Operators of chipping and grinding activities and composting operations shall meet the following requirements:~~

- ~~(1) No later than July 1, 2003, operators of existing chipping and grinding activities and composting operations shall register with the District by submitting the complete and applicable information required in accordance with subdivision (e) of this rule.~~
- ~~(2) Prior to start of operation, operators of new chipping and grinding activities and composting operations, shall register with the District by submitting the complete and applicable information required in accordance with subdivision (e) of this rule.~~
- ~~(3) No later than July 1, 2004, and every year thereafter, operators of chipping and grinding activities and composting operations registered with the District shall update their registration information by providing any changes to the information submitted in accordance with subdivision (e) of this rule.~~

(e) Recordkeeping~~Registration Process~~

The owner or operator of an Organic Material Supplier shall:

- (1) Record for each recipient of Uncomposted Greenwaste, if applicable:
 - (a) Recipient's name, recipient type as described in paragraph (d)(2), mailing address, email address, and telephone number;
 - (b) Dates of receipt and daily quantity supplied expressed in tons;
 - (c) For recipient type Agricultural Operations, the acceptable Direct Land Application technique as described in paragraph (d)(3); and
 - (d) Each destination address or latitude and longitude coordinates; and
- (2) Maintain records on-site for a period of at least three (3) years. Records shall be made available to the Executive Officer upon request.

~~The registration and annual update required pursuant to subdivision (d) of this rule shall, at a minimum, include the following information:~~

- ~~(1) Facility name;~~
- ~~(2) Facility location address and mailing address;~~
- ~~(3) Facility legal owner(s), contact person, title, telephone number, and mailing address;~~
- ~~(4) Facility operator (s), contact person, title, telephone number, and mailing address;~~
- ~~(5) Number of employees at the facility;~~
- ~~(6) Applicable California Integrated Waste Management Board's permit number, identification number, and facility classification;~~
- ~~(7) Type and amount of materials received and type and amount of products produced for the preceding year;~~
- ~~(8) Facility design capacity (throughput) in tons per year;~~
- ~~(9) Facility actual throughput in tons per month for the preceding calendar year. For new facilities, projected throughput must be provided;~~
- ~~(10) Feedstock description;~~
- ~~(11) Facility process description including, process diagram and a description of chipping and grinding operations and composting methods used (if applicable);~~
- ~~(12) Published tipping fee schedule for the preceding calendar year by feedstock, and;~~
- ~~(13) Number of air quality and odor related enforcement actions issued in writing against the facility by any Local Enforcement Agency and the California Integrated Waste Management Board for the preceding calendar year.~~

(f) Prohibitions Fees

No owner or operator of an Organic Material Supplier shall supply, sell, market, or offer for sale for Direct Land Application the following Organic Material:

(1) Foodwaste.

(2) Biosolids.

(3) Manure.

(4) Digestate not considered Intermediate Material, unless the recipient of Digestate informs the owner or operator of intent to use an acceptable Direct Land Application technique, either:

(a) Land incorporation by tilling, injecting, or plowing that covers Digestate with soil to a depth of six (6) inches; or

(b) Cover Digestate with at least six (6) inches of Finished Compost or Compost Overs.

~~The operator of any activity or facility subject to registration and annual update requirements pursuant to this rule shall be subject to a one-time fee equivalent to the plan submittal fee in accordance with Rule 306 at the time of registration.~~

(g) Exemptions

The owner or operator of an Organic Material Supplier that supplies, sells, or markets less than 100 tons of Uncomposted Greenwaste per calendar year shall be exempt from the requirements of paragraphs (d)(2) and (d)(3), provided that the owner or operator records and maintains records in accordance with subdivision (e).

~~The following types of facilities and operations are exempt from the requirements of this rule:~~

~~(1) Portable chipping and grinding;~~

~~(2) Community composting;~~

~~(3) Agricultural composting;~~

~~(4) Nursery composting;~~

~~(5) Recreational facilities composting;~~

~~(6) Backyard Composting; and~~