

**RULE 1133.1**

**CHIPPING AND GRINDING OPERATIONS**

(a) Purpose

The purpose of this rule is to prevent inadvertent decomposition occurring during Chipping and Grinding Operations, including Stockpile operations.

(b) Applicability

This rule applies to owners and operators of Chipping and Grinding Operations that are not subject to Rule 1133.2 – Emission Reductions from Co-Composting Operations or Rule 1133.3 – Emission Reductions from Composting Operations.

(c) Definitions

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

- (1) AGRICULTURAL OPERATIONS are 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 an operation that mechanically reduces the size of Greenwaste, Woodwaste, or Foodwaste.
- (4) 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) GREENWASTE is any waste of organic origin generated from gardening, agriculture, or landscaping activities including 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.
- (6) LANDCLEARING is an operation in which trees and plants grown at the site are cut, then chipped or ground and then removed from the site to clear the site for fire protection. The resulting material is subsequently stored at a publicly designated site.
- (7) PORTABLE CHIPPING AND GRINDING OPERATION is an operation that mechanically reduces the size of Greenwaste, Woodwaste, or Foodwaste at valid locations using 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 is exempt from permitting in

accordance with Rule 219 – Equipment Not Requiring a Written Permit Pursuant to Regulation II.

- (c) (8) 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.
- (9) 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

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

- (1) Not accept Foodwaste at the facility, unless otherwise allowed by the Local Enforcement Agency to handle Foodwaste.
- (2) Chip or grind and utilize on-site or remove Greenwaste 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:

- (1) Maintain the following records, as applicable:
  - (A) A copy of the annual Chipping and Grinding Operation report submitted in accordance with subdivision (f);
  - (B) Records of date, type, and amount of Greenwaste received;
  - (C) Records of date, type, amount of Greenwaste removed from the site, and location where they are transferred to;
  - (D) Records of approved time extensions from the Local Enforcement Agency; and
  - (E) Records of temperature in accordance with paragraph (g)(3).
- (2) Maintain records for the prior five (5) years of operation. The most recent two (2) years shall be 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.

(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. The report shall include annual totals of Greenwaste and other feedstocks received and annual totals of Chipping and Grinding Operation products removed from the site.

(g) Exemptions

- (1) The owner or operator of a Chipping and Grinding Operation with a throughput of less than 100 tons per calendar year shall be exempt from the requirements of paragraph (d)(2) and subdivisions (e) and (f), except for subparagraph (e)(1)(B) to record throughput and paragraph (e)(2) to maintain records.
- (2) The owner or operator of any of the following types of operations shall be exempt from the requirements of paragraph (d)(2) and subdivisions (e) and (f):
  - (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) The owner or operator of 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) and the temperature measurements are maintained on-site in accordance with subdivision (e). This exemption shall not apply to material processed for purposes other than biomass power generation.