Kansas Administrative Regulations

Department of Health and Environment

Article 29.—Solid Waste Management—Part 2. Standards for Management of Solid Wastes/Composting.

28-29-25b. Yard waste composting facilities.

This regulation shall apply to each facility that composts yard waste and has a composting area larger than one-half acre. Hay, straw, and manure may be added to yard waste only for the purpose of adjusting the carbon-to-nitrogen ratio of the compost mix. The additives shall not exceed 10 percent by volume of the total mixture without the written approval of the department. Other materials may be added to the yard waste only with the written approval of the department.

(a) Facility design. The owner or operator of each yard waste composting facility shall design and construct the facility to meet the following requirements.

(1) Composting surface and drainage.

(A) Storm water run-on shall be prevented from entering the receiving, processing, curing, or storage areas by the use of berms or other physical barriers.

(B) The facility shall not cause a discharge of pollutants into waters of the state, in accordance with K.S.A. 65-164, and amendments thereto.

(C) The composting area shall be graded to prevent ponding of liquids.

(D) The surface of the composting area shall be capable of supporting all equipment used.

(2) Facility access.

(A) At each facility that composts yard waste that is brought in from off-site, the following information shall be posted on one or more signs:

(i) Facility name;

(ii) permit number;

(iii) site hours;

(iv) traffic flow;

(v) a list of the materials appropriate for composting; and

(vi) the name and telephone number of an emergency contact person.

(B) Unauthorized dumping shall be discouraged by access control.

(C) Facility roads shall be constructed to allow access for managing the composting operation. Yard waste composting facilities shall be exempt from the all-weather access road requirement prescribed in K.A.R. 28-29-23(e).

(3) Capacity and storage. The composting facility shall have the capacity to store the following materials:

(A) Incoming materials waiting to be processed;

(B) the materials being processed; and

(C) the finished compost, not to exceed 18 months' production.

(b) Facility operations. The owner or operator of each yard waste composting facility shall be exempt from K.A.R. 28-29-23(j) and shall perform the following:

(1) Minimize odors;

(2) control disease vectors, dust, litter, and noise;

(3) segregate incoming waste from finished compost;

(4) inform the public of disposal sites for waste not acceptable for composting at the facility;

(5) begin processing incoming waste within one week of receipt; and

(6) remove all finished compost within 18 months of the completion of the composting process.

(c) Facility closure. The owner or operator of each yard waste composting facility shall perform the following:

(1) Notify the department, in writing, at least 60 days before closure; and

(2) remove all materials from the facility within six months of the last receipt of compostable material.

(d) Permit applications. The owner or operator of each yard waste composting facility shall submit a permit application to the department on a form provided by the department, unless the composting operation is located at a confined feeding facility that has a valid permit issued by the department. The applicant shall include the following items with the permit application.

(1) Facility design plan. This design plan shall not be required to bear the seal and signature of a professional engineer. The facility design plan shall contain all of the following items:

(A) A 7.5 minute topographic map of the area, as typically available from the U.S. geological survey, indicating the facility boundary and the property boundary;

(B) a soil map of the area, as typically available from the U.S. department of agriculture natural resources conservation services;

(C) a 100-year floodplain map of the area, as typically available from the federal emergency management agency; and

(D) a detailed drawing of the facility that indicates the location of all of the following features:

(i) Roads;

(ii) the existing and final grades and contours;

(iii) storm water control;

(iv) buildings and equipment to be installed;

(v) utilities; and

(vi) access control.

(2) Operations plan. The operations plan shall contain the following information:

(A) Job descriptions of persons responsible for operation, control, and maintenance of the facility;

(B) the anticipated annual quantity of waste to be received, and the seasonal variations of the quantity of waste to be received;

(C) the methods to control traffic and to expedite unloading;

(D) the methods for measuring incoming waste;

(E) the methods to control the types of waste received;

(F) the methods for removing noncompostable wastes from the incoming waste stream, including procedures for storage and disposal of these wastes;

(G) the location of disposal sites for noncompostable wastes;

(H) the method of composting;

(I) a list of equipment to be used;

(J) a description of any additives used in the process;

(K) a quality assurance and quality control plan that outlines the monitoring, sampling, and analysis plans for testing the compost process and product;

(L) the proposed end-use of the compost;

(M) the methods to minimize, manage, and monitor odors;

(N) disease vector, dust, litter, and noise control measures;

(O) leachate and storm water control measures; and

(P) a fire protection and control plan.

(3) Closure plan. The closure plan shall not be required to bear the seal and signature of a professional engineer. This plan shall include the following information:

(A) The steps necessary to close the facility;

(B) the final surface contours; and

(C) a closure cost estimate based on the third-party cost for removing and disposing of the maximum amount of wastes that may be contained at the facility.

(Authorized by and implementing K.S.A. 1998 Supp. 65-3406; effective Oct. 1, 1999.)

***** Authenticated Kansas Administrative Regulation *****