Kansas Administrative Regulations

Department of Health and Environment

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

28-29-25e. Source-separated organic waste composting.

For the purposes of this regulation, subsections (a), (b), (c), and (d) shall apply to each facility that composts source-separated organic waste and has a composting area of one-half acre or less. Subsections (a), (b), (c), and (e) of this regulation shall apply to each facility that composts source-separated organic waste and has a composting area larger than one-half acre.

(a) Facility design. The owner or operator of each facility that composts source-separated organic waste 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) Leachate control shall be provided wherever leachate is generated.

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

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

(2) Facility access.

(A) At each facility that composts source-separated organic 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) Access roads shall be of all-weather construction and shall be negotiable at all times. Load limits on bridges and access roads shall be sufficient to support all traffic loads generated by the use of the facility.

(3) Capacity and storage. The 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 facility that composts source-separated organic waste shall perform the following:

(1) Minimize odors;

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

(3) protect the facility from scavenging by animals;

(4) segregate incoming waste from finished compost;

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

(6) limit public access to hours when an attendant or any operating personnel are at the facility;

(7) begin processing incoming waste within 24 hours of receipt;

(8) if sewage sludge is composted, comply with 40 CFR Part 503, as in effect on February 19, 1993; and

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

(c) Facility closure. The owner or operator of each facility that composts source-separated organic waste shall perform the following:

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

(2) remove all material from the facility within 10 days of ceasing operation; and

(3) clean all containers, equipment, machines, floors, and site surfaces that have been in contact with source-separated organic waste or solid waste.

(d) Registration. Each owner or operator of a facility that composts source-separated organic waste and has a composting area of one-half acre or less shall submit registration information to the department on a form provided by the department.

(e) Permit applications. The owner or operator of each facility that composts source-separated organic waste and has a composting area larger than one-half acre shall submit a permit application to the department on a form provided by the department. The applicant shall include the following items with the permit application:

(1) Facility design plan. The facility design plan shall contain 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) plan and profile views of the facility indicating 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;

(vi) access control; and

(vii) all other structures.

(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 sources of waste to be received;

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

(E) the methods for measuring incoming waste;

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

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

(H) the location of disposal site for noncompostable wastes;

(I) the method of composting;

(J) a description of equipment proposed to be used in composting, including equipment specifications and manufacturer's performance standards. The proposed equipment shall be compatible with the proposed process and throughput;

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

(L) the methods for managing biological conditions;

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

(N) the proposed end use of compost;

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

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

(Q) leachate and national pollutant discharge elimination system storm water control measures;

(R) the plans for operations during wind, heavy rain, snow, freezing temperatures, or other inclement weather conditions;

(S) a contingency plan for events including equipment failure, power outages, natural disasters, fire, receipt of prohibited materials, or similar interruptions of normal activities; and

(T) a fire protection and control plan.

(3) Closure plan. The closure 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 of 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 *****