

A Summary of Regulatory Requirements for Composting Facilities

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Title V of the Illinois Environmental Protection Act (Act) establishes statutory requirements to ensure that solid waste will be handled in a safe and responsible manner. Landscape waste and other organic waste are subject to these regulations. The requirements found in the Act and the Board's regulations are intended to reduce the occupational and environmental health risks to human health and the environment that occur during storage, treatment, transport, transfer and disposal of solid waste.

The purpose of this information is to provide an overview of the solid waste requirements found in the Act and Board's regulations that pertain to landscape waste and other organic waste. The information presented here does not eliminate any person's responsibility to fulfill any legal obligation under the Act or regulations promulgated thereunder. For the complete requirements, please see Title V of the Act and 35 Illinois Administrative Code (IAC): Subtitle G.

For additional information on solid waste regulations in Illinois, please contact the Disposal Alternatives Unit at the Illinois Environmental Protection Agency; Bureau of Land; 1021 North Grand Avenue East; P. O. Box 19276; Springfield, Illinois 62794-9276 or call (217) 524-3300.

What is compost?

Compost is defined as the humus-like product (solid) of the process of composting waste, which may be used as a soil conditioner.

What is composting?

Composting means the biological treatment process by which microorganisms decompose the organic fraction of waste, producing compost.

Do I need a permit for composting in Illinois?

An Illinois EPA permit is required for composting activities conducted in Illinois at a facility that accepts waste from off-site and manages that waste in a manner where composting occurs. The type of environmental regulations and laws applicable to composting depend on the waste type, the source of the waste and the location of the composting facility. A facility receiving waste for composting is required to obtain a permit before it can accept any waste from off-site. The following types of facilities or activities are not required to obtain a permit for composting: (1) a landscape waste composting operation for landscape wastes generated by such facility's own activities conducted at the same site where the landscape waste was generated (Section 21(q)(1)

of the Act) (2) applying landscape waste or composted landscape waste at agronomic rates (Section 21(q)(2) of the Act) (3) a landscape waste composting facility on a farm which meets all of the criteria set forth at 35 Ill. Adm. Code Section 830.106 (Section 21(q)(3) of the Act and (4) a garden composting operation which has no more than 25 cubic yards of landscape waste, composting material or end product on-site at any one time and is not engaging in commercial activity.

Are regulations different in Illinois for composting different types of waste?

Yes, landscape waste composting and organic waste composting, including food waste, are regulated by different sets of regulations. In Illinois, facilities that compost landscape waste are regulated under 35 Illinois Administrative Code (Ill. Adm. Code) Parts 830-832. Organic waste composting is regulated under 35 Ill. Adm. Code Part 807. A landscape waste composting facility can request the use of additives beneficial to the composting process. Additives are typically less than 10%, by volume, of the material being composted.

Do I need local siting approval for composting in Illinois?

Siting is the formal process under which the local municipality or county government approves the location of a pollution control facility prior to the facility obtaining a permit from the Illinois EPA. Facilities that compost landscape waste under 35 Ill. Adm. Code Parts 830-832 are exempted from local siting requirements. Local siting approval is required, however, for organic waste composting regulated under 35 Ill. Adm. Code Part 807, unless the facility operates within the exemptions outlined in Section 3.330(a)(19) of the Environmental Protection Act (Act).

Do I need a permit to operate a landscape waste transfer station?

Yes, a transfer station permit is required for facilities that collect or accept landscape waste or other organic waste and transfer that waste to another location. This requirement is not dependent on how the waste will be treated or used at the final destination.

Do I need a permit to operate an anaerobic digester for composting of food scrap?

Anaerobic digestion of food scrap may be considered organic waste composting if the finished product is a solid and meets the definition of compost. A permit will be required in accordance

with 35 Ill. Adm. Code Part 807 if food scraps collected from off-site are placed into the anaerobic digester. A permit is not required if the anaerobic digester is located on the same site as the source of the food scraps and no off-site materials are accepted.

What forms do I need for a composting permit in Illinois?

Landscape Waste Composting: The following forms need to be submitted for a landscape waste compost facility (facilities regulated under 35 Ill. Adm. Code Part 830-832). The forms can be found at <http://www.epa.illinois.gov/topics/forms/land-forms/permit-forms/index>:

- LPC – PA12 Application for Permit Relating to a Composting Facility for Landscape Waste
- LPC-PA16 Notice of Application for Permit to Manage Waste
- 39(i) Certification for Operating a Waste Management Facility for Individual
- 39(i) Certification for Operating a Waste Management Facility for a Legal Entity

Composting Other Than Landscape Waste: The following forms need to be submitted for a facility that mainly composts material other than landscape waste (facilities regulated under 35 Ill. Adm. Code Part 807):

- LPC-PA1 General Application for Permit (not needed with LPC-PA12)
- LPC-PA4 Application for an Operating Permit
- LPC-PA6 Application for Permit to Develop A Solid Waste Composting Facility
- LPC-PA8 Certification of Siting Approval (if needed)
- LPC-PA9 Signatures of All Beneficiaries of a Land Trust
- LPC-PA11 Closure Plans and Post-Closure Care Plans
- LPC-PA16 Notice of Application for Permit to Manage Waste
- 39(i) Certification for Operating a Waste Management Facility for Individual
- 39(i) Certification for Operating a Waste Management Facility for a Legal Entity

Where can I get additional information about applying for a composting permit in Illinois?

Information on an organic waste composting facility can be found at <http://www.epa.illinois.gov/topics/forms/land-forms/permit-forms/pa6/index>

Information on a landscape waste only facility can be found at <http://www.epa.illinois.gov/topics/forms/land-forms/permit-forms/pa12/index>.