

3745-560-120 Compost product distribution requirements for class I composting facilities.

(A) Compost product distribution.

- (1) Compost produced from mixed solid waste shall be disposed at a licensed sanitary landfill facility or may be used at a licensed sanitary landfill facility where the operator has obtained authorization for use of such compost in accordance with Chapter 3745-27 of the Administrative Code.
- (2) Except as provided in paragraph (A)(1) of this rule, an owner or operator shall only distribute compost that has been sampled in accordance with rule 3745-560-125 of the Administrative Code and meets the compost quality standards of rule 3745-560-130 of the Administrative Code.
- (3) Compost that meets the applicable quality standards of rule 3745-560-130 of the Administrative Code may be distributed as compost product for use in accordance with accepted agricultural, silvicultural, or horticultural practices.
- (4) Compost that does not meet the quality standards shall be reintroduced into the composting process, taken to another appropriate class of composting facility for further composting, disposed in a licensed solid waste disposal facility, or distributed for an alternative use after approval by the director in accordance with this rule.
- (5) If compost product is mixed with any amount of additional feedstocks, bulking agents, additives, or other untested compost, then the compost product is considered to be cross-contaminated and no longer a product. The compost shall be re-sampled and re-tested prior to distribution.

[Comment: Compost containing mixed solid waste may only be distributed in accordance with paragraph (A)(1) of this rule.]

(B) Product information and availability of test results.

- (1) Compost product that is distributed in packaged form shall be conspicuously labeled with product information. Product information shall be available in written form for compost product distributed without packaging. At a minimum, product information shall contain the following information:
 - (a) Name and address of the composting facility.
 - (b) Any feedstocks, bulking agents, and additives used.
 - (c) Recommended uses for the compost product.
 - (d) Any owner or operator recommended restrictions on the use of the compost product.
- (2) Upon request, the owner or operator shall provide the customer a summary of results from testing required in accordance with this rule.

(C) Request for approval for land application or alternative use of compost that does not meet applicable standards for compost product. The owner or operator whose compost has been sampled and tested in accordance with rules 3745-560-125 and 3745-560-130 of the Administrative Code and exceeds any of the applicable concentration limits may submit a written request for approval for land application or alternative use of the compost. At a minimum, a request for approval for land application or alternative use shall include

the following information:

- (1) Total quantity of compost and a detailed list of all feedstocks, bulking agents, and additives utilized to produce the compost.
 - (2) A copy of the test results of the compost required in accordance with rule 3745-560-130 of the Administrative Code.
 - (3) An explanation as to why the compost is unable to meet the quality standards specified in rule 3745-560-130 of the Administrative Code.
 - (4) A detailed description of the proposed alternative use, if not requesting land application.
 - (5) A detailed narrative of how the requested alternative use will not adversely affect the public health or safety or the environment.
 - (6) A copy of test results for soil from the proposed location of land application. The soil tests shall include the same parameters for the standards exceeded by the compost.
 - (7) The location of proposed land application, total acreage to be utilized, and proposed application rate including justification of specific application rates, safe uses, and any applicable restrictions.
 - (8) Any other information deemed necessary by the director.
- (D) Criteria for approval of a request for land application or alternative use of compost that does not meet applicable standards for compost product. The director may approve and condition a request for land application or alternative use of compost that does not meet applicable quality standards if the director determines the following:
- (1) The compost was not produced from mixed solid waste feedstock.
 - (2) The proposed land application or alternative use does not cause or threaten to cause an adverse effect to the public health or safety or the environment.
 - (3) The proposed land application or alternative use is in accordance with accepted agricultural, silvicultural, or horticultural practices.

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CERTIFIED ELECTRONICALLY

Certification

08/20/2018

Date

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