At nearly 96 million tons, food scraps are the third largest segment of waste generated each year. Unfortunately, less than three percent of this waste is diverted from landfills to more environmentally friendly disposal options such as composting. Food scraps include leftover portions of meals (post-consumer food scraps) and trimmings from food preparation activities (pre-consumer food scraps).

Diverting this material from landfills creates environmental and financial benefits. Successful composting projects may also help educate the community and encourage waste reduction.

To ensure that operations do not cause pollution or create a public health problem, composting facilities must comply with state regulations. This document provides an overview of Ohio's regulations for composting food scraps.

Composting Facility Classification

Ohio EPA categorizes composting facilities into four classes based on the type of material the facility can accept.

Class II facilities are eligible to receive and process food scraps from external sources. Class II facilities may also accept yard and animal waste.

Establishing a Class II Composting Facility

The three steps needed to establish a Class II composting facility are registration, license and financial assurance.

Registration

Composting facilities must register with Ohio EPA at least 30 days before the business plans to start composting. Ohio EPA registration requires the completion of a form that includes facility location and general contact information, planned operation and processing information, a draft of the intended financial assurance instrument, and a statement certifying compliance with the established siting criteria. The registration form must be accompanied by a detailed plan view drawing. There is no fee for registration. Copies of the registration form are available online at www.epa.ohio.gov/portals/34/document/guidance/gd_461.pdf.

License

Composting facilities must submit a solid waste license application to Ohio EPA or the local health department at least 30 days before the business plans to start composting. Local health departments often administer Ohio EPA's solid waste regulations and are the licensing authority.
The annual fee for licensing is based on the amount of material accepted daily as shown on the table below.

<table>
<thead>
<tr>
<th>Daily Max (tons)</th>
<th>Annual Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>12 or less</td>
<td>$300</td>
</tr>
<tr>
<td>13 to 25</td>
<td>$600</td>
</tr>
<tr>
<td>26 to 50</td>
<td>$1,200</td>
</tr>
<tr>
<td>51 to 75</td>
<td>$1,800</td>
</tr>
</tbody>
</table>

Financial Assurance

Financial assurance is required to ensure that funds are available to pay for closure, cleanup and after-closure care, where needed. These funds are available if the facility is unable or unwilling to pay clean-up costs at the time of closure.

Calculation of the closure cost estimate is part of the registration and license process. Applicants must submit a draft of the financial instrument, such as a Letter of Credit and Standby Trust, to Ohio EPA with the registration application. Ohio EPA Division of Solid and Infectious Waste Management staff is available to provide assistance with the financial instrument options and document language requirements. They may be reached at (614) 644-2621.

Operating a Class II Composting Facility

After obtaining a registration and license, Class II composting facilities may begin accepting and composting materials. To ensure proper site management and avoid potential problems, facilities must follow specified operational requirements. Examples include:

- using an approved composting method;
- diligent processing of the food scraps; and
- keeping a daily log of operations.

Additional Environmental Permits

Air Pollution Concerns

In order to comply with federal clean air standards and minimize local impacts, the Division of Air Pollution Control may require air pollution permits for the operation of a Class II composting facility. Two typical air pollution concerns exist at Class II compost operations:

1. Operations that cause dust
   Unpaved roadways, certain screening equipment, storage piles and material handling are all likely to generate dust. The release of fine airborne particulates may impact air quality and pose an air pollution concern.

2. Fuel-burning equipment
   Any equipment that burns fuel, such as diesel-powered grinding/screening equipment, pumps, or electrical generators, release combustion products that may affect air quality. Each piece of equipment may be subject to a specific air pollution permit.

Three types of regulatory exemptions may reduce the permit burden at a Class II composting facility.

Permanent exemptions apply to a growing list of specific types of equipment and processes that do not need an air permit. Examples of exempt equipment include:

- boilers/heaters rated at less than 10 million Btu per hour;
- petroleum liquid storage tanks less than 19,815 gallons capacity;
- equipment for spraying insecticides or pesticides;
- gasoline engines less than 20 horsepower; and
- emergency electrical generators or pumps less than 50 horsepower.
The Permit-by-rule option exempts 11 types of operations and facilities if they meet qualifying criteria and operating limits. For example, a permit-by-rule option is available for electrical generators and pumps of any engine size used less than 500 hours per year exclusively for emergency use. A simple, one-page registration is required.

The “De minimis” source exemption eliminates the need for an air permit provided the release of air pollutants from the operation is less than 10 pounds per day. To claim a de minimis exemption, a company must demonstrate through emission calculations or other methods that emissions do not exceed this daily limit.

The owner/operator of a Class II composting facility is obligated to determine whether an air permit is needed. Ohio EPA’s Office of Compliance Assistance and Pollution Prevention provides air pollution regulatory assistance. They may be reached at (614) 644-3469 or online at www.epa.ohio.gov/ocapp/. The Ohio EPA Division of Air Pollution Control may be reached at (614) 644-2270 or online at www.epa.ohio.gov/dapc/.

Water Pollution Concerns

To protect the quality of surface water in Ohio, the Division of Surface Water may require water pollution permits for the operation of a Class II composting facility. The typical water pollution concern that exists at Class II composting facilities is the runoff from either storm water events or composting operations leachate. For most typical Class II composting operations, proper management of storm water runoff will also address leachate runoff concerns.

Federal storm water regulations include composting as an activity to be considered for National Pollutant Discharge Elimination System (NPDES) permitting. If a facility has material or operations that may be exposed to storm water that could find its way to surface waters of the state, then NPDES permit authorization is required. These facilities can pursue a detailed site-specific NPDES permit or the simpler industrial storm water general permit.

The main requirement of the general permit is the preparation and implementation of a storm water pollution prevention plan (SWP3). There is a $350 fee associated with applying for general permit coverage. If materials and operations are sheltered from storm water, then a “No Exposure Certification” for exclusion from permitting form may be filed with Ohio EPA. Further background information, forms, and contact information may be obtained from the Ohio EPA Division of Surface Water industrial storm water Web page at www.epa.ohio.gov/dsw/storm/industrial_index.aspx.

For more information and specific requirements for establishing and operating a Class II composting facility, please consult the Class II Composting Facility Requirements guidance document, available online at www.epa.ohio.gov/portals/34/document/guidance/gd_667.pdf.

For general questions about food scrap composting or starting a composting facility, contact the Division of Solid and Infectious Waste Management at (614) 644-2621 or your local health department.

Division of Solid & Infectious Waste Management, P.O. Box 1049, Columbus, Ohio 43216-1049 (614) 644-2621 www.epa.ohio.gov/dsiwm/
Regulations for Community and Commercial Food Scrap Composting Facilities

Ohio EPA is an Equal Opportunity Employer

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50 W. Town St. Suite 700
Columbus, OH 43215
(614) 728-3778
(614) 728-3898 Fax
(800) 686-2330
www.epa.ohio.gov/cdo/

NWDO Northwest District Office
347 N. Dunbridge Rd.
Bowling Green, OH 43402
(419) 352-8461
(419) 352-8468 Fax
(800) 686-6930
www.epa.ohio.gov/nwdo/

SED0 Southeast District Office
2195 Front St.
Logan, OH 43138
(740) 385-8501
(740) 385-6490 Fax
(800) 686-7330
www.epa.ohio.gov/sedo/

NEDO Northeast District Office
2110 E. Aurora Rd.
Twinsburg, OH 44087
(330) 963-1200
(330) 487-0769 Fax
(800) 686-6330
www.epa.ohio.gov/nedo/

SWDO Southwest District Office
401 E. Fifth St.
Dayton, OH 45402-6357
(937) 285-6357
(937) 285-6249 Fax
(800) 686-6357
www.epa.ohio.gov/swdo/

Toll-free numbers are for citizens with questions or concerns about environmental issues. The regulated community should use the business line for routine business. Spills and emergencies should be reported to (800) 282-9378.