

# 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 that occur during storage, treatment, transport, transfer and disposal of solid waste.

The information presented here does not eliminate any person's responsibility to fulfill any legal obligation under the Act or regulations promulgated thereunder.

The purpose of this information is to provide some of the solid waste requirements, found in both the Act and the Board's regulations. 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 will occur. 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. The receiving facility would be required to obtain a permit before it can accept any waste from off-site. On-site, on-farm and garden composting operations may be exempted from permitting from the Illinois EPA.

## Are regulations different in Illinois for different wastes composting?

Yes, landscape waste composting and organic waste composting including food waste are regulated by different set of regulations. In Illinois, facilities that compost landscape waste are regulated under 35 Illinois Administrative Code (Ill. Adm. Code) Part 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.

## Do I need siting for composting in Illinois?

Facilities that compost landscape waste under 35 Ill. Adm. Code Part 830-832 are exempted from siting requirements. Siting is the formal process local government go through to determine if a Pollution Control Facility should be developed in their jurisdiction. A local siting approval is required 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).

The design of the composting operation may impact whether the facility is subject to siting. For instance, anaerobic digestion in an enclosed tank may be regulated as in-vessel composting, as a result, the activity would be exempt from siting provided finished compost is generated. Anaerobic digesters that are co-located at permitted 35 Ill. Adm. Code Part 830-832 compost facilities, and the digestate from the digester is incorporated into on-site windrows to achieve a finished compost, would also be exempt from the local requirement.

## Do I need a permit to transfer landscape waste?

Yes, a facility would be required to obtain a transfer station permit to collect and store 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 will not be required if the anaerobic digester is located on the same site as the source of the food scraps and no off-site materials accepted.

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

The following forms need to be submitted for a landscape waste compost facility 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

The following forms need to be submitted for a facility that mainly composts material other than landscape waste 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 to apply for a composting permit in Illinois?

Information on an organic waste composting facility can be found at

<http://www.epa.state.il.us/land/regulatory-programs/permits-and-management/forms/pa6-instruction.pdf>.

Information on a landscape waste only facility can be found at

<http://www.epa.state.il.us/land/regulatory-programs/permits-and-management/forms/pa12.html>.