Amending Title 252:515, Management of Solid Waste, to allow for a tiered permitting and regulatory structure for different classes of solid waste composting facilities.
Prior to amendment

- **Yard waste**—low regulatory burden
  - Submit a plan to DEQ Land Protection Division (LPD)

- **Anything else**—high regulatory burden
  - Conduct subsurface investigation
  - Submit permit application to DEQ LPD
  - Accomplish public notice
  - Construct a composite liner system and leachate collection system
  - Establish a groundwater monitoring program
  - Post financial assurance
Composting Yard Waste

- High volume
- Homogenous material
- Residents like it
- Low concern compared to other waste
- Low regulatory burden
  - Location restrictions
  - Prepare an operating plan
  - Control runoff
  - DEQ approval
Why compost anything else?

Landfill ban?

Diversion goals?

Benefit?
DEQ Water Quality Division has jurisdiction over composting of biosolids
Jurisdiction over composting of agricultural residuals

Agricultural residuals
- production and preparation for market of poultry, livestock and associated farm products;
- production and harvesting of agricultural crops
- Aqua-cultural industry.
Food Recovery Hierarchy

Source Reduction
Reduce the volume of surplus food generated

Feed Hungry People
Donate extra food to food banks, soup kitchens and shelters

Feed Animals
Divert food scraps to animal feed

Industrial Uses
Provide waste oils for rendering and fuel conversion and food scraps for digestion to recover energy

Composting
Create a nutrient-rich soil amendment

Landfill/Incineration
Last resort to disposal

Most Preferred

Least Preferred
Advantage to rule amendment?

- Remove disincentive
- Clear up jurisdictional confusion
- Meet increasing demand
Tiered approach

- One size does not fit all
- Amount of regulatory control should vary commensurate with feedstock and volume of material
- Flexibility and common sense
- Meet demand
- Satisfy our jurisdictional obligation
# Tiered approach—Feedstock

<table>
<thead>
<tr>
<th>Type</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Type 1</strong></td>
<td>Yard trimmings, wood chips, crop residue, Other Materials Approved by DEQ (OMAD)</td>
</tr>
<tr>
<td><strong>Type 2</strong></td>
<td>Source separated organics, paper, OMAD</td>
</tr>
<tr>
<td><strong>Type 3</strong></td>
<td>Biosolids, food processing residuals, fats, oils grease, OMAD</td>
</tr>
<tr>
<td><strong>Type 4</strong></td>
<td>Non-source separated organics, commercial waste, OMAD</td>
</tr>
<tr>
<td><strong>Special events</strong></td>
<td>Varity of materials</td>
</tr>
</tbody>
</table>
## Tiered approach—Facility Class

<table>
<thead>
<tr>
<th>Class I</th>
<th>Type 1 feedstock</th>
</tr>
</thead>
<tbody>
<tr>
<td>Class II</td>
<td>Type 1 &amp; 2 feedstock $&lt; 100$ tons/yr.</td>
</tr>
<tr>
<td>Class III</td>
<td>Type 1, 2, or 3 and $&gt;100$ tons/yr.</td>
</tr>
<tr>
<td>Class IV</td>
<td>Feedstock Type 1– 4 no limit</td>
</tr>
<tr>
<td>Special events</td>
<td>Variety of materials and volume</td>
</tr>
</tbody>
</table>
Classes and design criteria

Class I
- Location restrictions
- All weather pad

Class II
- All Class I requirements plus Public notice
Classes and design criteria

Class III
- All Class II requirements; and
- Groundwater separation
- Groundwater monitoring
- Testing of finished compost
- Monthly reports
- Financial assurance

Class IV
- All Class III requirements.
- Additional location restrictions
- Constructed liner
Exemptions
Summary—Amended Rules

- Flexibility and common sense
- Meet demand
- Satisfy our jurisdictional obligation
- Avoid undue impact on existing facilities
- Protect human health and the environment
Patrick Riley
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