

Compost Draft Regulation Facility Type Comparison (September 1, 2016)

	A	B	C	D	E	G
Requirements	Exempt	Conditionally Exempt Small Quantity	Conditionally Exempt Agricultural Operations	Class I-volume restricted-See below: (1a) New Yard Waste, (1b) Ag importing solid waste and 1(c) Institutional/landscape companies	Class II (importing Type 1 and manure)	Class III (Includes Existing Class I and II)
Registration	No	Yes, if operating commercially; No, if not commercial	No	Yes	No-EDOP Review	No-EDOP Review
PE stamp for designs	No	No	No	Yes	Yes	Yes
Composting Plan	No	No	No	Yes	No, EDOP	No, EDOP
EDOP	No	No	No	No	Yes	Yes
EDOP Review & Approval	No	No	No	No	Yes	Yes
Certificate of Designation	No	No	No	No	No	Yes
Groundwater Monitoring	No	No	No	No	Yes, but can be waived based on site soils, proximity to groundwater and feedstock imported	Yes, but can be waived based on site soils, proximity to groundwater and feedstock imported
Financial Assurance	No	No	No	Yes, but not for finished product; only for stored or in process waste onsite	Yes, but not for finished product; only for stored or in process waste onsite	Yes, but not for finished product; only for stored or in process waste onsite
Closure Plan	No	If registered, notice of closure/ceasing operations	No	Yes	Yes	Yes
Closure Plan Review & Approved	No	No	No	Yes	Yes	Yes
Post Closure	No	No	No	Yes	Yes	Yes
Waste Types composted	1) Backyard; 2) Ag Waste Only; 3) Biosolids onsite	Type 1 and 2	Onsite Ag, compatible wood chips, sawdust, tree branches and leaves	1(a)=Type 1; 1(b)=Ag Waste generated onsite and Type 1; 1(c)=Source separated organics generated onsite and Type 1 (may be imported from offsite)	Type 1 and manure	Type 1,2 and 3
Stormwater retainment	No	No	No	Yes, or alternative approved by Department	Yes	Yes
Low Perm Stormwater Impoundment	No	No	No	1(a)=No; 1(b)=yes, 1(c)=yes	Yes	Yes
QA/QC Plan	No	No	No	No	Yes	Yes
QA/QC Report	No	No	No	Yes, for engineered features. Must be kept onsite	Yes	Yes
Volume Restricted	Biosolids import nine month supply of compatible feedstock to compost;	Yes: 100 cubic yards, Type 1 and up to 5 cubic yards Type 2 or 10 cubic yards Type 2 in-vessel at any given time	Storage of solid waste is limited to nine months	Yes, 1(a)=50,000 cubic yards feedstock and in-process at one time; 1(b)=no limitation; 1(c)=5,000 cubic yards feedstock and in-process at one time	Yes, less than 50,000 cubic yard onsite at any one time, otherwise you become a Class III	No
Low Perm Pad/Equivalent	No	No	No	No	Depends on proximity to groundwater and underlying soils. A demonstration that groundwater contamination is not likely may suffice	Depends on proximity to groundwater and underlying soils. A demonstration that groundwater contamination is not likely may suffice
Maintain all weather driving surface and prevent ponding	No	No	No	Yes	Yes	Yes
Annual Fee	No	No	No	\$1,000	\$1,000	\$1,000
Local Government Approval	Up to local government	Up to local gov	Up to local gov	Yes, noted on Registration	Yes, noted on Registration	Yes (CD requirement)
Public Notice (for CDPHE)	No	No	No	No	No	Yes (CD requirement)
Subject to inspection	Yes, only on a complaint basis; would forward to local government	Yes, on a complaint basis	Yes, on a complaint basis	Yes	Yes	Yes
Record Keeping	No	Yes	Yes, record quantity of incoming solid waste	Yes	Yes	Yes
Compost Use Restrictions	No	No	Only distributed to Ag Zoned Property	No	No	No
Registration/EDOP Review Fee?	No	No	No	No	\$125/hr	\$125/hr
Annual Report	No	Yes, if operating commercially; No, if not commercial	No	Yes	Yes	Yes