

From: [Rudy Krause](#)
To: [EPOST_SWM](#)
Subject: Re: WACS_ID #98266_Rudy Krause Construction Recycling
Date: Tuesday, July 19, 2011 9:35:08 AM

Document received

Thank You
Rudy Krause, Construction

--- On Tue, 7/19/11, EPOST_SWM <EPOST_SWM@dep.state.fl.us> wrote:

From: EPOST_SWM <EPOST_SWM@dep.state.fl.us>
Subject: WACS_ID #98266_Rudy Krause Construction Recycling
To: "rksconst@bellsouth.net" <rksconst@bellsouth.net>
Cc: "Tedder, Richard" <Richard.Tedder@dep.state.fl.us>, "Kuncicky, Daniel" <Daniel.Kuncicky@dep.state.fl.us>, "Joyal, Francine" <Francine.Joyal@dep.state.fl.us>, "Smith, Michell M." <Michell.M.Smith@dep.state.fl.us>, "Krumbholz, Bill" <Bill.Krumbholz@dep.state.fl.us>, "Standiford, James" <James.Standiford@dep.state.fl.us>
Date: Tuesday, July 19, 2011, 9:07 AM

In an effort to provide a more efficient service, the Florida Department of Environmental Protection's Solid Waste Regulation Section is forwarding the attached document to you by electronic correspondence in lieu of a hard copy through the normal postal service.

We ask that you verify receipt of this document by sending a "reply" message to EPOST_SWM@dep.state.fl.us (An automatic "reply message" is not sufficient to verify receipt). If your email address has changed or you anticipate that it will change in the future, please advise accordingly in your reply. You may also update this information by contacting Derbra Owete at (850) 245-8732.

The attached document is in "pdf" format and will require Adobe Reader 6 or higher to open properly. You may download a free copy of this software at www.adobe.com/products/acrobat/readstep2.html.

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Your cooperation in helping us affect this process by replying as requested is

greatly appreciated. If you should have any questions about the attached document(s), please direct your questions to the contact person listed in the correspondence.

Richard Tedder, P.E.

Program Administrator

Solid Waste Section

Department of Environmental Protection

E-Mail Address: EPOST_SWM@dep.state.fl.us

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Florida Department of Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Rick Scott
Governor

Jennifer Carro
Lt. Governor

Herschel T. Vinyard Jr.
Secretary

July 14, 2011

Rudy Krause
R K & S Construction Of The Florida Keys, Inc.
DBA: RUDY KRAUSE CONSTRUCTION
RAMROD KEY FL 33042

Dear Rudy Krause:

Your registration application for Rudy Krause Construction Recycling , located at RAMROD KEY, KEY WEST, in Monroe County has been received. The application indicated this facility is operating as a:

- Yard Trash Transfer Station
- Yard Trash Recycling Facility
- Manure Blending Operation
- Vegetative, Animal Byproducts or Manure Composting Facility

And processing the following:

- Yard trash (including clean wood)
- Manure
- Animal byproducts (composting)
- Vegetative wastes (composting)
- Pre-consumer vegetative (composting)

The registration application is complete, and is valid until August 1, 2012. The WACS identification number for this facility is 00098266. The receipt number for the registration fee you paid is .

You must comply with the requirements specified in Rule 62-709.320, and Rules 62-709.330 or 62-709.350, Florida Administrative Code (F.A.C.), in order to maintain qualification for the registration program. A summary of the operating requirements is enclosed. Excerpts from Chapters 62-701 and 62-709, F.A.C., pertaining to yard trash processing facilities are also enclosed.

July 14, 2011

Rudy Krause

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If you need further information, please contact the Bureau of Solid and Hazardous Waste at the above address, Mail Station 4565, telephone 850/245-8769, or email Francine.Joyal@dep.state.fl.us.

Sincerely,

A handwritten signature in cursive script that reads "Francine Joyal".

Francine Joyal

Environmental Specialist

Enclosures

cc: Daniel Kuncicky, DEP Solid Waste Section
Bill Krumbholz, South District

Requirements for source-separated organics facilities qualifying for registration - Chapter 62-709, F.A.C.

Rule/Referenced Rule	Provision
Specific to all	
62-709.300(7)(a)	No person shall cause or allow objectionable odor in violation of Chapter 62-296, F.A.C.
62-709.300(7)(b)	Rule 62-701.300, and subsection 62-701.320(13) apply to facilities regulated under 62-709.
62-701.300(1)(b)	Stored or processed in a way or location that does not violate air quality or water quality standards.
62-701.300(2)(a)	Geological formations or subsurface features must provide support for the facility
62-701.300(2)(c)	Not in a dewatered pit unless permanent leachate containment and special design techniques used.
62-701.300(2)(d)	Not in any natural or artificial water body(e.g., ground water and wetlands within DEP jurisdiction).
62-701.300(2)(f)	Not be placed on the right of way of any public highway, road, or alley.
62-701.300(3)	No open burning in the recycling area of the facility and controlled burning complies with DEP rules.
62-701.300(14)	No CCA treated wood in material applied as a ground cover, soil or soil amendment.
62-701.300(15)	No unconfined emissions of particulate matter in violation of paragraph 62-296.320(4)(c), F.A.C.
62-709.320(2)(a)	Have the necessary operational features and equipment - unless otherwise specified, including
62-709.320(2)(a)1.	effective barrier to prevent unauthorized entry and dumping
62-709.320(2)(a)2.	Dust and litter control methods
62-709.320(2)(a)3.	Fire protection and control provisions to deal with accidental burning of solid waste, including
62-709.320(2)(a)3.a.	20-foot all-weather access road all around the perimeter
62-709.320(2)(a)3.b.	No material shall be mechanically compacted
62-709.320(2)(a)3.c.	No material shall be more than 50 feet from access by motorized firefighting equipment
62-709.320(2)(b)	Operate in a manner to control vectors
62-709.320(2)(c)	Operate in a manner to control objectionable odors per with Rule 62-296.320(2), F.A.C.
62-709.320(2)(d)	Keep any installed drains and leachate or condensate conveyances cleaned
62-709.320(2)(e)	Process received solid waste timely as follows
62-709.320(2)(e)1.	Size-reduce or remove yard trash within 6 months or time needed to receive 3,000 tons or 12,000 cubic yards, whichever is greater. Separated logs with 6 inch diameter or greater can be stored for up to 12 months before being size-reduced or removed.
62-709.320(2)(e)2.	Putrescible waste (e.g., vegetative wastes, animal byproducts or manure) shall be processed and incorporated into the composting material, or removed from the facility, within 48 hours.
62-709.320(2)(f)	Containerized and removed immediately any treated or untreated biomedical waste; hazardous waste; or any materials having (PCB) concentration of 50 ppm or greater.
62-709.320(2)(g)	All residuals, solid waste and recyclable materials removed and recycled or disposed upon ceasing operations. Any remaining processed material shall be properly used or disposed.
62-709.320(4)(a)	Keep monthly records of incoming and outgoing material for at least three years..
62-709.320(4)(b)	If temperature used to show disinfection or vector attraction achieved, keep records for 3 years.

Specific to yard trash only facilities	
62-709.300(7)(b)	Rule 62-701.300, and subsection 62-701.320(13) apply to facilities regulated under 62-709.
62-701.300(12)(a)	At least 100 feet from off-site potable water well that existed before facility registered.
62-701.300(12)(b)	At least 50 feet from any body of water, including wetlands. Not including parts of permitted stormwater system, or water bodies totally within facility with no discharge to surface waters.
62-709.330(2)	Processed material gone from facility within 18 months, unless longer storage authorized by permit.
62-709.330(3)	Accept only yard trash, and bags used to collect yard trash. Containerized any other material

Specific to composting of vegetative wastes, animal byproducts or manure, or blending manure	
62-709.300(7)(b)	Rule 62-701.300, and subsection 62-701.320(13) apply to facilities regulated under 62-709.
62-701.300(2)(b)	Be more than 500 feet off-site potable water well that existed before facility registered
62-701.300(2)(e)	Within 200 feet from any body of water, including wetlands. Not including parts of permitted stormwater system, or water bodies totally within facility with no discharge to surface waters.
62-701.320(13)(b)	Not within 10,000 feet of any licensed and operating airport runway used by turbine powered aircraft, or within 5,000 feet of any licensed and operating airport runway used only by piston engine aircraft, unless applicant demonstrates that the facility is designed and will be operated so that it does not pose a bird hazard to aircraft.
62-709.350(2)	Carbon:nitrogen ratio of the blended feedstocks shall be greater than 20.
62-709.350(3)	Piles do not exceed 12 feet in height.
62-709.350(5)	All material removed within 18 months, unless longer storage authorized by permit.
62-709.350(6)	Show that disinfection achieved. not required if made from only pre-consumer vegetative waste
62-709.350(7)	Vector attraction reduction controls shall include either (a) or (b) below:
62-709.350(7)(a)	Composted for at least 14 days, with temperature no lower than 40 degrees Celsius and average temperature of the material being composted higher than 45 degrees Celsius; or
62-709.350(7)(b)	Specific oxygen uptake rate (SOUR) for material being composted or blended shall be equal to or less than 1.5 milligrams of oxygen per hour per gram of total solids (dry weight basis) at a temperature of 20 degrees Celsius

CHAPTER 62-701 SOLID WASTE MANAGEMENT FACILITIES

62-701.300 Prohibitions.

(1) General prohibition.

(a) No person shall store, process, or dispose of solid waste except as authorized at a permitted solid waste management facility or a facility exempt from permitting under this chapter.

(b) No person shall store, process, or dispose of solid waste in a manner or location that causes air quality standards to be violated or water quality standards or criteria of receiving waters to be violated.

(2) Siting. Unless authorized by a Department permit or site certification in effect on May 27, 2001, or unless specifically authorized by another Department rule or a Department license or site certification based upon site-specific geological, design, or operational features, no person shall store or dispose of solid waste:

(a) In an area where geological formations or other subsurface features will not provide support for the solid waste;

(b) Within 500 feet of an existing or approved potable water well unless storage or disposal takes place at a facility for which a complete permit application was filed or which was originally permitted before the potable water well was in existence. This prohibition shall not apply to any renewal of an existing permit that does not involve lateral expansion, nor to any vertical expansion at a permitted facility;

(c) In a dewatered pit unless the pit is lined and permanent leachate containment and special design techniques are used to ensure the integrity of the liner;

(d) In any natural or artificial body of water, including ground water and wetlands within the jurisdiction of the Department. This prohibition does not apply to areas of standing water that exist only after storm events, provided that the storage or disposal does not result in objectionable odors or sanitary nuisances;

(e) Within 200 feet of any natural or artificial body of water unless storage or disposal takes place at a facility for which a complete permit application was filed or which was originally permitted before the water body was in existence. This prohibition shall not apply to any renewal of an existing permit that does not involve lateral expansion, nor to any vertical expansion at a permitted facility. For purposes of this paragraph, a "body of water" includes wetlands within the jurisdiction of the Department, but does not include impoundments or conveyances which are part of an on-site, permitted stormwater management system, or bodies of water contained completely within the property boundaries of the disposal site which do not discharge from the site to surface waters. A person may store or dispose of solid waste within the 200 foot setback area upon demonstration to the Department that permanent leachate control methods will result in compliance with water quality standards and criteria. However, nothing contained herein shall prohibit the Department from imposing conditions necessary to assure that solid waste stored or disposed of within the 200 foot setback area will not cause pollution from the site in contravention of Department rules; and

(f) On the right of way of any public highway, road, or alley.

(3) Burning. Open burning of solid waste is prohibited except in accordance with Chapter 62-256, F.A.C. Controlled burning of solid waste is prohibited except in a permitted incinerator, or in a facility in which the burning of solid waste is authorized by a site certification order issued under Chapter 403, Part II, F.S.

(12) Yard trash. The prohibitions of this section apply to the storage, processing, or disposal of yard trash, except that paragraphs (2)(b) and (e) of this section are modified so that the following setback distances shall apply:

(a) 100 feet from off-site potable water wells, no setback required from on-site water wells; and

(b) 50 feet from water bodies.

(14) CCA treated wood. CCA treated wood shall not be incorporated into compost or made into mulch, decorative landscape chips or any other wood product that is applied as a ground cover, soil or

Excerpts from Chapters 62-701 and 62-709, F.A.C., pertaining to yard trash and source-separated organics complying with the provisions of Rule 62-709.320, F.A.C., and with Rules 62-709.330 or 62-709.350, F.A.C.

soil amendment. CCA treated wood may be ground and used as initial cover on interior slopes of lined solid waste disposal facilities provided it meets the criteria of subsection 62-701.200(53), F.A.C. CCA treated wood shall not be disposed of through open burning or through combustion in an air curtain incinerator.

(15) Dust. The owner or operator of a solid waste management facility shall not allow the unconfined emissions of particulate matter in violation of paragraph 62-296.320(4)(c), F.A.C.

(16) Indoor storage. The prohibitions in subsection (2) of this section do not apply to the storage or processing of solid waste indoors, provided that the indoor storage area has an impervious surface and a leachate collection system. For the purposes of this subsection, an impervious surface means either a poured concrete pad having a minimum thickness of four inches, or an asphalt concrete paving with both a minimum thickness of one and one-half inches and with an additional component to restrict leaching to ground water such as a soil cement sub-base, an epoxy seal or a geomembrane.

62-701.310 Approval of Alternate Procedures and Requirements.

(1) Applicability. Any person subject to the provisions of this chapter or Chapters 62-702 through 62-722, F.A.C., may request in writing a determination by the Secretary that a requirement shall not apply, and shall request approval of alternate procedures or requirements.

(2) Criteria. The request shall set forth at a minimum the following information:

(a) The specific facility for which an exception is sought;

(b) The specific provisions from which an exception is sought;

(c) The basis for the exception;

(d) The alternate procedure or requirement for which approval is sought and a demonstration that the alternate procedure or requirement provides an equal degree of protection for the public and the environment; and

(e) A demonstration of the effectiveness of the proposed alternate procedure.

(3) Department order. The Secretary shall specify by order each alternate procedure or requirement approved in accordance with this section or shall issue an order denying the request for such approval. The Department's order shall be agency action, reviewable in accordance with Sections 120.569 and 120.57, F.S.

(4) Alternate sampling procedures. Approval of alternative or new field and laboratory sampling and analysis procedures shall be requested in accordance with Rules 62-160.430, 62-160.520 and 62-160.530, F.A.C.

(5) Other relief mechanisms. Requests for variances from specific statutory or rule requirements may be made pursuant to Section 403.201, F.S., and Rule 62-110.104, F.A.C. Requests for variances or waivers from rule requirements may also be made pursuant to Section 120.542, F.S., and Rule 28-104.002, F.A.C. Applications for research, development and demonstration permits may be made pursuant to Section 403.70715, F.S., and shall be submitted using Form 62-701.900(32), Application for a Permit to Construct and Operate a Research, Development and Demonstration Facility, effective January 6, 2010, hereby adopted and incorporated by reference. Copies of this form are available from a local District Office or by writing to the Department of Environmental Protection, Solid Waste Section, MS 4565, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

(6) Requests for alternate procedures shall be accompanied by the fee specified in subsection 62-701.315(8), F.A.C. Requests must be submitted to the Director of the Division of Waste Management, 2600 Blair Stone Road, Twin Tower Office Building, Tallahassee, Florida 32399-2400.

(7) To the extent that any request for alternate procedures or requirements involves the practice of engineering or geology, the request shall be signed and sealed by a professional engineer or a professional geologist.

62-701.320 Solid Waste Management Facility Permit Requirements, General.

(3) Irresponsible applicant. In addition to the provisions of subsection 62-4.070(5), F.A.C., when determining whether the applicant has provided reasonable assurances that Department standards will be met, the Department shall consider repeated violations of applicable statutes, rules, orders, or

Excerpts from Chapters 62-701 and 62-709, F.A.C., pertaining to yard trash and source-separated organics complying with the provisions of Rule 62-709.320, F.A.C., and with Rules 62-709.330 or 62-709.350, F.A.C.

permit conditions caused by a permit applicant after October, 1988, relating to the operation of any solid waste management facility in this state if the applicant is deemed to be irresponsible. For purposes of this subsection, the following words have the following meanings:

(a) "Applicant" means the owner or operator of the solid waste management facility in this state, and includes a business entity, a parent of a subsidiary corporation, a partner, a corporate officer or director, or a stockholder holding more than 50 percent of the corporate stock.

(b) "Irresponsible" means that an applicant owned or operated a solid waste management facility in this state, including transportation equipment or mobile processing equipment used by or on behalf of the applicant, which was subject to a state or federal notice of violation, judicial action, or criminal prosecution for activities that constitute violations of Chapter 403, F.S., or the rules promulgated thereunder, and could have prevented the violation through reasonable compliance with Department rules.

(13) Airport safety.

(a) Applicability. This subsection applies to those solid waste management facilities constructed after January 6, 1993, as well as lateral expansions of facilities that were constructed prior to January 6, 1993. For purposes of this subsection, an "airport runway" does not include facilities used solely for helicopters or other aircraft which take off and land vertically.

(b) Solid waste management facilities where waste is stored, disposed, or processed outdoors shall not be located within 10,000 feet of any licensed and operating airport runway used by turbine powered aircraft, or within 5,000 feet of any licensed and operating airport runway used only by piston engine aircraft, unless the applicant demonstrates that the facility is designed and will be operated so that it does not pose a bird hazard to aircraft.

(c) Applicants proposing to construct new landfills within a six mile radius, and applicants proposing to construct lateral expansions of existing landfills within a five-mile radius, of any licensed and operating airport runway used by turbine powered or piston engine aircraft shall notify the affected airport, the Federal Aviation Administration, and the Florida Department of Transportation when the application is filed with the Department, and shall provide evidence of such notification to the Department.

(d) The following facilities are exempt from the requirements of this subsection:

1. Enclosed solid waste management facilities where waste is received and processed indoors, where all waste or residue is removed by enclosed or covered vehicles, and where putrescible waste is not processed, stored, or otherwise managed outdoors except in enclosed or covered vehicles;
2. Recovered materials processing facilities;
3. Yard trash processing facilities;
4. Land clearing debris disposal facilities;
5. Ash monofills;
6. Construction and demolition debris disposal or recycling facilities that are not co-located with other solid waste disposal facilities accepting putrescible wastes; and
7. Any other solid waste management facility that does not accept putrescible waste for disposal, processing, or recycling.

Excerpts from Chapters 62-701 and 62-709, F.A.C., pertaining to yard trash and source-separated organics complying with the provisions of Rule 62-709.320, F.A.C., and with Rules 62-709.330 or 62-709.350, F.A.C.

CHAPTER 62-709 CRITERIA FOR ORGANICS PROCESSING AND RECYCLING FACILITIES

62-709.201 Definitions.

The definitions in Rule 62-701.200, F.A.C., apply to this chapter unless the context clearly indicates otherwise. For purposes of this chapter, the following words, phrases or terms shall have the following meaning:

(2) "Animal byproducts" means source-separated organic solid waste that is animal in origin, such as meat, fat, dairy, or eggs, and is generated by commercial, institutional, agricultural, or industrial operations. This term includes waste generated by prison facilities, grocery stores and restaurants, but does not include waste generated by manufacturing or packaging plants, abattoirs, and butcher shops, including butcher shops in grocery stores. These wastes will be viewed as putrescible waste in this chapter.

(3) "Beneficial use" means, for the purposes of this Chapter, that readily-degradable organics are placed on or in the soils to provide a viable benefit, such as, reducing erosion and water loss, regulating soil temperature, preventing the growth of weeds, or serving as a soil amendment upon decomposition. Placement of materials for purposes of disposal is not considered to be a beneficial use.

(5) "Clean wood" means wood, including lumber, tree and shrub trunks, branches, and limbs, that is free of paint, glue, filler, pentachlorophenol, creosote, tar, asphalt, chromated copper arsenate, other wood preservatives or treatments.

(6) "Compost" means solid waste which has undergone biological decomposition of organic matter, has been disinfected using composting or similar technologies, and has been stabilized to a degree that is potentially beneficial to plant growth and that is used or sold for use as a soil amendment, artificial top soil, growing medium amendment or other similar uses.

(7) "Composting" means the process by which biological decomposition of organic solid waste is carried out under controlled aerobic conditions, and that stabilizes the organic fraction into a material which can easily and safely be stored, handled and used in an environmentally acceptable manner. The presence of anaerobic zones within the composting material will not cause the process to be classified as other than composting.

(8) "Composting facility" means a solid waste management facility where solid waste is processed using composting technology. Processing may include physical turning, windrowing, aeration or other mechanical handling of organic matter.

(10) "Disinfection" means the selective destruction of pathogens indicated by a reduction in indicator organism(s) as specified in paragraph 62-709.300(8)(a), F.A.C.

(12) "Land reclamation" means the restoration of productivity to lands made barren through processes such as erosion, mining or land clearing.

(13) "Manure" means a solid waste composed of excreta of animals, and residual materials that have been used for bedding, sanitary or feeding purposes for such animals. For purposes of this chapter, manure does not include such material generated and managed by normal farming operations, but does include "paunch manure," which is the undigested stomach content of cattle.

(14) "Maturity" means the degree of stability that has been achieved.

(15) "Mesophilic stage" means a biological stage in the composting process characterized by active bacteria which favor a moderate temperature range of 20 - 45 degrees Celsius. It occurs later in a composting process after the thermophilic stage and is associated with a moderate rate of decomposition.

(16) "Motorized firefighting equipment" means equipment that can be used to control and extinguish fires such as fire trucks, front end loaders, and bull dozers.

(17) "Pre-consumer vegetative waste" means source-separated vegetative solid waste from commercial, institutional, industrial or agricultural operations that is not considered yard trash, and has not come in contact with animal products or byproducts or with the end user. This term includes material generated by grocery stores, packing houses, and canning operations, as well as products that

Excerpts from Chapters 62-701 and 62-709, F.A.C., pertaining to yard trash and source-separated organics complying with the provisions of Rule 62-709.320, F.A.C., and with Rules 62-709.330 or 62-709.350, F.A.C.

have been removed from their packaging, such as out-of-date juice, vegetables, condiments, and bread. This term also includes associated packaging that is vegetative in origin such as paper or corn-starch based products, but does not include packaging that has come in contact with other materials such as meat. Plate scrapings are specifically excluded from this definition. These wastes are putrescible waste as defined in this chapter.

(18) "Putrescible waste" means solid waste that contains organic matter capable of being decomposed by microorganisms and of such a character and proportion as to be capable of attracting or providing food for birds. The term does not include uncontaminated yard trash or clean wood.

(19) "Recycling" means any process by which solid waste, or materials which would otherwise become solid waste, are collected, separated, or processed and reused or returned to use in the form of raw materials or products.

(20) "Size-reduced" means the material has been processed so that it will pass through a 6-inch sieve or has been cut for firewood in no greater than 24 inch lengths.

(21) "Stabilized" means that biological and chemical decomposition of the wastes has ceased or diminished to a level so that such decomposition no longer poses a pollution, health, or safety hazard. The term means that biological decomposition of the waste that was composted or anaerobically digested has occurred to a sufficient degree that will allow beneficial use. As regards composting, it also means that the compost has at least passed through the thermophilic stage, and that biological decomposition of the solid waste has occurred to a sufficient degree that will allow beneficial use.

(22) "Thermophilic stage" means a biological stage in the composting process characterized by active bacteria which favor a high temperature range of 45 – 75 degrees Celsius. It occurs early in a composting process before the mesophilic stage and is associated with a high rate of decomposition.

(23) "Vector" means a carrier organism that is capable of transmitting a pathogen from one organism to another.

(24) "Vegetative waste" means source-separated organic solid waste that is vegetative in origin, and is generated by commercial, institutional, agricultural or industrial operations that is not considered yard trash. This term includes waste generated by grocery stores, prisons, restaurants, packing houses, and canning operations, as well as products that have been removed from their packaging, such as out-of-date juice, vegetables, condiments, and bread. This term also includes packaging that is vegetative in origin such as paper or corn-starch based products. These wastes are putrescible waste as defined in this chapter. Where the term is not used in conjunction with the term pre-consumer, it included vegetative waste that may have come in contact with the end user.

(25) "Yard trash" means vegetative matter resulting from landscaping maintenance or land clearing operations and includes materials such as tree and shrub trimmings, grass clippings, palm fronds, trees and tree stumps, and associated rocks and soils. For purposes of this chapter, it also includes clean wood.

(26) "Yard trash processing facility" means a yard trash transfer station or a facility at which yard trash is processed into a size-reduced, usable material or is composted, but does not include a facility used for the disposal of yard trash.

62-709.300 General Provisions.

(1) General provisions relating to solid waste management may be found in Chapter 62-701, F.A.C., including statements of intent, definitions, prohibitions, general permitting requirements, alternate procedures, and variances. Except where the context indicates otherwise, these general provisions apply to this chapter.

(2) No solid waste management facility whose purpose is or includes the production of compost shall be constructed, operated, expanded or modified without an appropriate or currently valid permit or registration issued by the Department unless specifically exempted by Chapter 403, F.S., Chapter 62-701, F.A.C., or this chapter.

(4) Closure requirements.

Excerpts from Chapters 62-701 and 62-709, F.A.C., pertaining to yard trash and source-separated organics complying with the provisions of Rule 62-709.320, F.A.C., and with Rules 62-709.330 or 62-709.350, F.A.C.

(a) The owner or operator shall notify the appropriate Department District Office in writing forty-five (45) days prior to ceasing operations, and shall specify a closing date. No waste shall be received by the facility after the closing date.

(b). All residuals, solid waste, and recyclable materials shall be removed from the site and recycled, or disposed of pursuant to the requirements of Chapter 62-701, F.A.C., within one month from the date the facility ceases to receive solid waste. Any remaining compost shall be used in accordance with the requirements of this chapter or disposed of pursuant to the requirements of Chapter 62-701, F.A.C.

(5) Nothing in this chapter is intended to relieve any person from compliance with the storm water rules found in Chapters 62-25 and 62-330, F.A.C., or with any other local, state or federal requirements.

(6) The following activities or facilities are not regulated under this chapter:

(a) Simple exposure of solid waste with little to no mechanical handling that results in natural decay; this is considered disposal and is regulated under Chapter 62-701, F.A.C.

(b) Composting of solid waste as a volume reduction measure prior to intended disposal; this is considered waste processing and is regulated under Chapter 62-701, F.A.C.

(c) Composting facilities that process domestic wastewater residuals with yard trash; these are regulated under Chapter 62-640, F.A.C. Composting facilities that process domestic wastewater residuals with other solid wastes are regulated under this chapter. However, nothing in this chapter shall relieve such facilities from complying with other applicable federal or state rules or regulations regarding domestic wastewater residuals management.

(d) Facilities where industrial byproducts are segregated and managed, provided that the operation is either exempt from permitting under Section. 403.7045, F.S., or is regulated under another Department permit or certification.

(7) Prohibitions.

(a) No person shall cause or allow the discharge of air pollutants that cause objectionable odor in violation of Chapter 62-296, F.A.C.

(b) The prohibitions of Rule 62-701.300, F.A.C., as well as the siting restriction of Rule 62-701.320(13), F.A.C., apply to facilities regulated under this chapter.

(c) No solid waste processed in accordance with this chapter shall be placed in any natural or artificial body of water or wetland, unless authorized under a permit from the Department or a water management district, or in an, open sinkhole, or a dewatered pit.

(d) No treated or untreated biomedical waste, as regulated by Chapter 64E-16, F.A.C., shall be accepted at composting facilities.

(e) Used oil, hazardous waste and asbestos-containing waste shall not be processed into compost except for small quantities normally found in household waste.

(8) Compost.

(a) Any compost produced from solid waste, excluding compost made with only yard trash or pre-consumer vegetative waste, must be disinfected. One of the following options must be used to demonstrate that disinfection has been achieved (the test frequencies for these options are contained in paragraphs 62-709.530(1)(b) and (c), F.A.C.):

1. Option 1 -- at the time composted solid waste has completed the disinfection process:

a. Either the density of fecal coliform is less than 1000 Most Probable Number per gram total solids, or the density of *Salmonella* sp. bacteria is less than three Most Probable Number per four grams of total solids; and

b. One of the following process controls is achieved:

i. Maintain 55 degrees Celsius or higher for three consecutive days in a mechanical composter or in an aerated, insulated static pile; or

ii. Maintain 55 degrees Celsius or higher for 15 consecutive days in a windrow with at least five turnings of the windrow.

2. Option 2 -- at the time material is ready to be used, or the pathogen reduction process has been completed:

Excerpts from Chapters 62-701 and 62-709, F.A.C., pertaining to yard trash and source-separated organics complying with the provisions of Rule 62-709.320, F.A.C., and with Rules 62-709.330 or 62-709.350, F.A.C.

a. Either the density of fecal coliform is less than 1000 Most Probable Number per gram total solids, or the density of *Salmonella* sp. bacteria is less than three Most Probable Number per four grams of total solids; and

b. The density of enteric viruses are less than one Plaque-forming Unit per four grams of total solids; and

c. The density of viable helminth ova is less than one per four grams of total solids.

(b) Temperature monitoring shall be at a depth of two feet into the pile. The temperature readings and the length of the composting period shall be recorded. These records shall be kept for at least three years and shall be made available for inspection by Department personnel.

(c) Any compost that cannot be used pursuant to the requirements of this chapter shall be reprocessed or disposed of pursuant to the requirements of Chapter 62-701, F.A.C.

(9) Permit fees for organic solid waste recycling facilities. Notwithstanding the provisions of paragraph 62-4.050(4)(j) and Rule 62-701.315, F.A.C., the following fees shall apply to permit applications associated with this chapter. The provisions of paragraphs 62-4.050(4)(o) through (v), F.A.C., continue to apply to such permits or applications. Fees for permit transfers and alternate procedures are established in Rule 62-701.315, F.A.C., and fees for permit modifications are established in subsection 62-701.320(4), F.A.C.

(d) Registrations for yard trash processing facilities \$ 35

(e) Registration for composting of yard trash, vegetative wastes, animal byproducts or manure or blending facilities \$ 35

(h) Request for an alternate procedure to provisions in this rule \$ 500

62-709.320 General Provisions for Registrations.

(1) Applicability.

(a) Owners or operators of yard trash processing facilities, facilities composting vegetative waste, animal byproducts or manure with or without yard trash, and manure blending operations that meet the criteria of this rule and Rules 62-709.330, or .350 shall register annually with the Department in accordance with Rule 62-709.320(3). However, if these criteria are not met then a solid waste management facility permit is required:

1. In accordance with Chapter 62-701, F.A.C., for disposal operations or transfer stations; or

2. In accordance with subsection 62-709.300(3), F.A.C., for composting or processing operations, or Rule 62-709.460, F.A.C., for qualifying pilot projects.

(b) Owners or operators of solid waste facilities that meet the criteria of this rule, and either Rule 62-709.330 or .350, F.A.C., are not subject to the requirements of Rules 62-709.500, 62-709.510 and 62-709.530, F.A.C., unless otherwise specified in this Chapter. However, they are subject to the requirements in Rules 62-709.300, 62-709.550, and 62-709.600, F.A. C.

(c) If a yard trash processing facility is already authorized under another Department solid waste management facility permit, then facility registration under this rule is not required as long as that permit remains valid. However, an annual report must still be submitted.

(d) Registrations issued under this Chapter are considered to be the equivalent of operation permits for purposes of any notice requirements of Chapter 403, F.S., or Rule 62-110.106, F.A.C.

(2) Design and operating requirements.

(a) The facility shall have the operational features and equipment necessary to maintain a clean and orderly operation. Unless otherwise specified in Rules 62-709.330 or .350, F.A.C., these provisions shall include:

1. An effective barrier to prevent unauthorized entry and dumping into the facility site;

2. Dust and litter control methods; and

3. Fire protection and control provisions to deal with accidental burning of solid waste, including:

a. There shall be an all-weather access road, at least 20 feet wide, all around the perimeter of the site;

b. None of the processed or unprocessed material shall be mechanically compacted; and

c. None of the processed or unprocessed material shall be more than 50 feet from access by

Excerpts from Chapters 62-701 and 62-709, F.A.C., pertaining to yard trash and source-separated organics complying with the provisions of Rule 62-709.320, F.A.C., and with Rules 62-709.330 or 62-709.350, F.A.C.

motorized firefighting equipment.

(b) The facility shall be operated in a manner to control vectors.

(c) The facility shall be operated in a manner to control objectionable odors in accordance with Rule 62-296.320(2), F.A.C.

(d) Any drains and leachate or condensate conveyances that have been installed shall be kept clean so that flow is not impeded.

(e) Solid waste received at a registered facility must be processed timely as follows:

1. Any yard trash received at the facility shall be size-reduced or removed within 6 months, or within the period required to receive 3,000 tons or 12,000 cubic yards, whichever is greater. However, logs with a diameter of 6 inches or greater may be stored for up to 12 months before they are size-reduced or removed, provided the logs are separated and stored apart from other materials on site.

2. Any putrescible waste such as vegetative wastes, animal byproducts or manure received at a facility shall be processed and incorporated into the composting material, or removed from the facility, within 48 hours of receipt.

(f) If any of the following materials are discovered, they shall be immediately containerized and removed from the facility: treated or untreated biomedical waste; hazardous waste; or any materials containing a polychlorinated biphenyl (PCB) concentration of 50 parts per million or greater.

(g) When a registered facility ceases operation, all residuals, solid waste, and recyclable materials shall be removed from the site and recycled, or disposed of pursuant to the requirements of Chapter 62-701, F.A.C. Any remaining processed material shall be used in accordance with the requirements of this rule or disposed of pursuant to the requirements of Chapter 62-701, F.A.C.

(3) Registration. Owners or operators of solid waste facilities, that qualify for registration, shall register with the Department before beginning operation, unless they are operating under a solid waste management facility permit as specified in paragraph (1)(c) of this rule.

(a) Registration shall be submitted on Form 62-709.901(3), Application for Registration and Annual Report for a Yard Trash Transfer Station or Solid Waste Organics Recycling Facility, effective date February 15, 2010, hereby adopted and incorporated by reference. Copies of this form are available from a local District Office or by writing to the Department of Environmental Protection, Solid Waste Section, MS 4565, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400 or from the Department web page at http://www.dep.state.fl.us/waste/quick_topics/forms/pages/62-709.htm.

(b) The registrant shall provide the facility name, physical address where the facility is located, mailing address, street mailing address, contact name, email address and telephone number, and affirm that facility design and operations comply with the requirements of this rule and Rule 62-709.330 or .350, F.A.C. The registrant shall also provide documentation that the registrant either owns the land or has legal authorization from the landowner to operate a solid waste organics recycling facility on that site.

(c) Renewal applications for registrations pursuant to Rules 62-709.330, or .350, F.A.C., shall be submitted annually by July 1.

(d) The application for registration shall include the annual report required in subsection (4) of this rule. Owners and operators of solid waste organics recycling facilities that are submitting registration applications and have not begun operating during the applicable calendar year are not required to submit the annual report for that calendar year.

(4) Record keeping and reporting.

(a) Monthly records of incoming and outgoing material shall be kept on site or at another location as indicated on the registration form for at least three years. The values may be in cubic yards or tonnage, but the same unit of measurement shall be used to record both incoming and outgoing material. An annual report, based on the preceding calendar year, shall summarize the monthly records and shall be submitted by July 1 to the Department using Form 62-709.901(3), Application for Registration and Annual Report for a Yard Trash Transfer Station or Solid Waste Organics Recycling Facility, effective date February 15, 2010, hereby adopted and incorporated by reference. Copies of this form are available from a local District Office or by writing to the Department of Environmental Protection, Solid Waste Section, MS 4565, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400 or

Excerpts from Chapters 62-701 and 62-709, F.A.C., pertaining to yard trash and source-separated organics complying with the provisions of Rule 62-709.320, F.A.C., and with Rules 62-709.330 or 62-709.350, F.A.C.

from the Department web page at http://www.dep.state.fl.us/waste/quick_topics/forms/pages/62-709.htm. The registrant may submit the annual report to the Department electronically. The initial annual report for existing facilities shall also include a current site inventory of materials.

(b) If temperature monitoring will be used to demonstrate that disinfection has been achieved or that vector attraction has been achieved, then these records shall be kept for at least three years. These records shall be made available upon request.

62-709.330 Specific Criteria for Registration of Yard Trash Processing Facilities.

(1) A facility accepting only yard trash shall meet the criteria in this rule in addition to the provisions of Rule 62-709.320, F.A.C.

(2) Processed material shall be removed from the facility within 18 months. However, if a yard processing facility is authorized under another Department solid waste management facility permit, then the department shall authorize on-site storage of processed material for longer than 18 months if the owner or operator demonstrates that there is a quantifiable use for such material for cover, erosion control, closure, or other similar activities at that permitted facility.

(3) Only yard trash, and bags used to collect yard trash, shall be accepted at the yard trash processing facility. Any other material shall be containerized.

62-709.350 Specific Criteria for Registration of Facilities Composting Vegetative Wastes, Animal Byproducts or Manure, or Blending Manure.

(1) A facility accepting and composting only vegetative wastes, animal byproducts or manure, with or without yard trash, or a facility accepting only manure and blending it with yard trash or soil, shall meet the criteria of this rule in addition to the provisions of Rule 62-709.320, F.A.C.

(2) The carbon:nitrogen ratio of the blended feedstocks shall be greater than 20.

(3) Vegetative waste, animal byproducts or manure shall not be stored or processed in piles that exceed 12 feet in height.

(4) Yard trash processing facilities that also compost or blend and are registered in accordance with this section are not required to obtain a separate registration for the yard trash processing operation.

(5) All material accepted by the facility shall be removed within 18 months. However, if a facility is authorized under another Department solid waste management facility permit, then the department shall authorize on-site storage of compost or blended manure for longer than 18 months if the owner or operator demonstrates that there is a quantifiable use for such material for cover, erosion control, closure, or other similar activities at that permitted facility.

(6) The owner or operator of a facility producing compost, or manure blended with yard trash or soil, must demonstrate that disinfection has been achieved using one of the options in paragraph 62-709.300(8)(a), F.A.C. However, such demonstration is not required if the compost was made from pre-consumer vegetative waste, with or without yard trash.

(7) Operation features of a composting or manure blending facility for vector attraction reduction controls shall include one of the following:

(a) The material shall be composted for at least 14 days, during which time the temperature of the material being composted shall not be lower than 40 degrees Celsius and the average temperature of the material being composted shall be higher than 45 degrees Celsius; or

(b) The specific oxygen uptake rate (SOUR) for material being composted or blended shall be equal to or less than 1.5 milligrams of oxygen per hour per gram of total solids (dry weight basis) at a temperature of 20 degrees Celsius.

62-709.530 Testing, Recording and Reporting Requirements

(1) The compost product shall be sampled and analyzed as follows.

(a) A composite sample of the compost produced at each composting facility shall be analyzed at intervals of every 20,000 tons of compost produced or every three months, whichever comes first, for percent moisture, percent reduction in organic matter, percent organic matter, and pH.

Excerpts from Chapters 62-701 and 62-709, F.A.C., pertaining to yard trash and source-separated organics complying with the provisions of Rule 62-709.320, F.A.C., and with Rules 62-709.330 or 62-709.350, F.A.C.

(b) In addition to (a) above, when demonstration that a material has been disinfected is required in accordance with paragraph 62-709.300(8)(a), the material shall be analyzed for one of the following at intervals of every 20,000 tons of material produced or every three months, whichever comes first:

1. Fecal Coliform, most probable number per gram of total solids (dry weight basis); or
2. *Salmonella* sp. Bacteria, most probable number per four grams of total solids (dry weight basis).

(c) In addition to (b) above, when the provisions of subparagraph 62-709.300(8)(a)2, F.A.C., will be used, the material shall be analyzed for the following at intervals of every 20,000 tons of material produced or every three months, whichever comes first:

1. Enteric viruses, plaque-forming unit per four grams of total solids (dry weight basis); and
2. Helminth ova, ova per four grams of total solids (dry weight basis).

(d) Compost produced by persons for their own use, where the compost is made from yard trash, vegetative wastes or manure, is not required to be sampled and analyzed as specified in paragraphs (a) through (c) above.

(f) The Department may decrease or increase the parameters to be analyzed for or the frequency of analysis based on monitoring data, changes in the waste stream or processing, or the potential presence of toxic substances.

(g) All sampling and analysis activities shall be performed in accordance with Chapter 62-160, F.A.C. Analytical results shall be submitted to the appropriate District office within 30 days of sample collection.

(i) The reduction of organic matter is determined by comparing the organic matter content of the feedstock into the composting process and the organic matter content of the compost product. The amount of reduction is determined as a percent of the original amount contained in the feedstock using the following calculation: $\% \text{ ROM} = [1 - (\text{OMK}(100 - \text{OM})/\text{OM}(100 - \text{OMK}))]100$ where: % ROM = reduction of organic matter, OM = % organic matter content of dry matter before decomposition, and OMK = % organic matter content of dry matter after decomposition.

62-709.550 Classification of Compost.

(1) Compost shall be classified based on the type of waste processed, product maturity, the amount of foreign matter in the product, the particle size and organic matter content of the product, and the concentration of heavy metals as specified in the following sections. The following characteristics shall be used:

Excerpts from Chapters 62-701 and 62-709, F.A.C., pertaining to yard trash and source-separated organics complying with the provisions of Rule 62-709.320, F.A.C., and with Rules 62-709.330 or 62-709.350, F.A.C.

(a) Type of waste processed.

1. Yard trash only.
2. Manure, or yard trash or vegetative waste with manure.
3. Solid waste, other than only yard trash, vegetative waste or manure. This includes composts made from the addition of any animal byproducts.

(b) Product maturity.

1. Mature.
2. Semi-mature.
3. Fresh.

(c) Foreign matter content.

1. $\leq 2\%$ dry weight.
2. $> 2\%$, but $\leq 4\%$ dry weight.
3. $> 4\%$, but $\leq 10\%$ dry weight.

(d) Particle size, using the screen size that the compost passed through. Organic matter content shall be associated with particle size.

1. Fine: $\leq 10\text{mm}$, and an organic matter content of $\geq 25\%$.
2. Medium: $\leq 15\text{mm}$, and an organic matter content of $\geq 30\%$.
3. Coarse: $\leq 25\text{mm}$, and an organic matter content of $\geq 35\%$.

(e) The codes in the following table for heavy metal concentrations shall be used in classifying the compost produced. The concentrations are expressed in mg/kg dry weight. In determining the appropriate classification code for parameter concentrations, if any one parameter falls in a higher concentration grouping, the code for that higher grouping will apply.

CONCENTRATION CODES

Parameter	1	2	3	4
Cadmium	< 15	$15 - < 30$	$30 - 100$	> 100
Copper	< 450	$450 - < 900$	$900 - 3,000$	$> 3,000$
Lead	< 500	$500 - < 1,000$	$1,000 - 1,500$	$> 1,500$
Nickel	< 50	$50 - < 100$	$100 - 500$	> 500
Zinc	< 900	$900 - < 1,800$	$1,800 - 10,000$	$> 10,000$

(2) Compost shall be classified as follows.

(a) Type Y is compost made only from yard trash, which is mature or semi-mature, and is fine, medium or coarse. For such compost, a foreign matter content of less than 2% and a metal concentration equivalent to code 1 is assumed.

(b) Type YM is compost made from only vegetative waste, animal byproducts or manure, with or without yard trash, which is mature or semi-mature and is fine, medium or coarse. For such compost, a foreign matter content of less than 2% and a metal concentration equivalent to code 1 is assumed.

(f) Type D is compost made from solid waste, or from only yard trash, vegetative waste, animal byproducts or manure, which is fresh and is fine, medium or coarse. It shall have a foreign matter content of less than or equal to 10%, and the metal concentration shall fall under codes 1, 2 or 3. Foreign matter content and metal concentration is assumed for fresh compost made from only yard trash, vegetative waste, animal byproducts or manure.

(3) Compost maturity shall be determined as follows:

(a) Mature compost is a highly stabilized compost material that has been exposed to prolonged periods of decomposition. It will not reheat upon standing to greater than 20°C above ambient temperature. It has beneficial use and can be used in direct contact with roots. The material should be brown to black in color. This level of maturity is indicated by a reduction of organic matter of greater than 60%.

(b) Semi-mature compost is compost material that is at the mesophilic stage. It will reheat upon standing to greater than 20°C above ambient temperature. It has beneficial use, although direct contact with roots should be avoided. The material should be a light to dark brown in color. This level of

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maturity is indicated by a reduction of organic matter of greater than 40% but less than or equal to 60%.

(c) Fresh compost is compost material that has been through the thermophilic stage and has undergone partial decomposition. The material will reheat upon standing to greater than 20°C above ambient temperature. It has beneficial use, but proper care is needed as further decomposition and stabilization will occur. The material should be similar in texture and color to the feed stock into the composting process. This level of maturity is indicated by a reduction of organic matter of greater than 20% but less than or equal to 40%.

62-709.600 Criteria for the Use of Compost.

(1) Compost classified as Types Y, YM or A shall have unrestricted distribution.

(3) Compost classified as Type D shall only be used at landfills or land reclamation projects.

However, such use shall not be allowed if contact with the general public is likely.

(5) The total amount of heavy metal applied to soils shall be (in pounds per acre) as follows.

(a) Cadmium – 4.45.

(b) Nickel – 111.

(c) Copper – 111.

(d) Zinc – 222.

(e) Lead – 445.

(6) For applications where repeated use of the compost can be expected, such as in agricultural applications, the amount of heavy metal applied to soils shall be no more than one-tenth of the amount listed in (5) above per acre per year. For applications where repeated use of the compost is not expected, such as land reclamation or as a soil amendment on highway medians, the amount listed in (5) above may be applied within a one-year period.

(7) If a person wishing to apply compost to the soil can demonstrate through an analysis of the cation exchange capacity and other physical and chemical characteristics of the receiving soil that a higher application rate will provide an equal degree of protection to the public and the environment, the Department may approve such application rates pursuant to Rule 62-709.700, F.A.C.

(8) Compost shall not be used in any manner that will endanger public health and welfare, and the environment, or would violate the provisions of this rule.

62-709.901 Forms.

The forms used by the Department in this rule are adopted and incorporated by reference in this subsection. The form is listed by rule number, which is also the form number, and with the subject, title and effective date. Copies of forms may be obtained from a local District Office or by writing to the Florida Department of Environmental Protection, Solid Waste Section, Mail Station 4565, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

(3) Application for Registration and Annual Report for a Yard Trash Transfer Station or Solid Waste Organics Recycling Facility, effective February 15, 2010.