

For DEP Use Only

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|------------------|----------------------|-----------|-----------------|
| ATS ID:          | Seq:                 | DEP ID:   | DEP Rec'd Date: |
| Bureau: S        | Type of Application: | Activity: | Fees Paid:      |
| Project Analyst: |                      |           | Check #:        |

MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION

Attn: Geraldine Travers  
BRWM Solid Waste Division  
Department of Environmental Protection  
17 State House Station  
Augusta ME 04333-0017

Phone: 1-207-287-2651

NOTIFICATION FOR PERMIT-BY-RULE  
FOR COMPOSTING TYPE IA RESIDUALS and GRASS

Facilities proposed for composting Type IA residuals and grass clippings, and that meet all of the standards of Chapter 410, Section 5 of the Solid Waste Management Regulations may receive a permit-by-rule. Please submit the completed application, along with the appropriate fee, to the address listed above. This completed notification form must be received by the Department at least 15 working days prior to acceptance of the first shipment of any Type IA residual or grass clippings intended for composting. See Chapter 400, section 1 for a full definition of residual types. Type IA residuals are leaf, vegetative and other residuals with a C:N ratio of greater than 25:1, and contaminant concentrations lower than the screening standards in Chapter 418, Appendix A. See Appendix 410.A for a list of typical C:N ratios for various residuals.

PLEASE TYPE OR PRINT

Applicant's Name: \_\_\_\_\_

Contact Person: \_\_\_\_\_ Telephone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Street Address: \_\_\_\_\_

Town: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Address: **Billing**

Applicant's Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Street Address: \_\_\_\_\_

Town: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

**Site Information**

Location: \_\_\_\_\_

Directions to site: \_\_\_\_\_

\_\_\_\_\_

**CERTIFICATION**

By signing this application, the applicant certifies that he or she has: (1) published the public notice form once in a newspaper circulated in the area where the project is located, (2) sent a copy of the public notice form to the owners of property abutting the land upon which the project is located, (3) sent a copy of the public notice form to the chief municipal officer and chair of the municipal planning board of the municipality in which the project is located (4) filed a complete copy of this application in the municipal office of the municipality in which the project is located, (5) reviewed the instructions contained in this application form, and (6) reviewed the appropriate state laws that relate to the proposed project.

I certify under penalty of law that I have personally examined the information submitted in this document and all attachments thereto and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the information is true, accurate, and complete. I, the property owner or lessee, authorize the Department to enter the property that is the subject of this application, at reasonable hours, including buildings, structures or conveyances on the property, to determine the accuracy of any information provided herein. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

DATE: \_\_\_\_\_

NAME (printed): \_\_\_\_\_  
(Applicant)

SIGNATURE: \_\_\_\_\_

**Standards for Permit-by-Rule for Type IA Residuals and Grass Composting**

1. **Acceptable Residuals**: Only Type IA residuals and grass clippings may be accepted.
2. **Handling and Storage Area Size**: The total waste handling area may not exceed three (3) acres and on-site storage areas may not exceed a total of one (1) acre. Individual storage piles may not exceed 10,000 square feet.
3. **Setback Distances**: At the time this notification is submitted to the Department, the location for proposed storage, processing, composting, and/or curing of any regulated residual may not lie within:
  - A. 500 feet of any water supply spring;
  - B. 500 feet of any water supply well and any residence, unless owned by the site operator or owner;
  - C. 100 feet of any protected natural resource;
  - D. In, on or over a protected natural resource, or on land adjacent to the following areas, without first obtaining a permit pursuant to 38 M.R.S.A. Section 480-A et seq.:
    - (1) a coastal wetland, great pond, river, stream or brook, or significant wildlife habitat contained within a freshwater wetland; or
    - (2) freshwater wetlands consisting of or containing:
      - a. under normal circumstances, at least 20,000 square feet of aquatic vegetation, emergent marsh vegetation or open water, except for artificial ponds or impoundments; or
      - b. peatlands dominated by shrubs, sedges and sphagnum moss;
  - E. 100 feet of any property boundary;
  - F. 100 feet of the solid waste boundary of an active, inactive, or closed solid waste landfill; and
  - G. a 100-year flood plain.
4. **Soils**: The applicant may only compost, cure and store residuals on:
  - A. Soils that a Maine certified soil scientist has determined are moderately well-drained to well-drained, as classified by the USDA Natural Resources Conservation Service, and that are at least 24 inches above the seasonal high water table, bedrock, and sand or gravel lenses;
  - B. A pad constructed with the top at least two (2) feet above the seasonal high water table and is either composed of:
    - (1) two feet of glacial till (having between 15 and 35% fines) covered with a 6-inch drainage layer of gravel; or
    - (2) soil covered with asphalt or concrete.
  - C. A surface determined by a Maine certified soil scientist, soil engineer or other qualified individual as being suitable for the proposed activity, taking into account the other aspects of the facility design; or
  - D. On a land area under a permanent, roofed structure.

5. Drainage: Surface water drainage must be diverted away from processing, curing, and storage areas.
6. Slope: Compost windrows/piles must be constructed on a pad or surface with a maximum slope of 6%. Where necessary, the working surface for windrows/piles must be constructed to prevent ponding.
7. Operation: The facility must be operated so that it does not contaminate water, land or air.
8. Inspection and Access Control: The operator must control access to the site and visually inspect incoming residual so that only Type IA residuals and grass clippings are deposited at the facility.
9. Compost Pile Construction: Incoming Type IA residuals must, within one week of delivery to the site, be formed into windrow piles 10 feet high by 15 to 20 feet wide at the base, or other configuration that provides for the proper conditions under which aerobic composting will occur. Windrows/piles must be configured and oriented such that runoff is not trapped by the windrows/piles.
10. Grass: Within 24 hours of receipt, grass clippings must be incorporated, and thoroughly mixed into established windrows at a ratio of no more than one part grass to three parts Type IA residuals (1 grass:3 carbonaceous-material) by volume. The composting facility must not accept grass clippings unless there is a sufficient volume of Type IA residuals on hand to meet this ratio. Un-amended grass may not be stockpiled for more than 24 hours.
11. Compost Turning: The windrow/pile must be turned at least four times per year. There must be no more than 6 months between any two turnings.
12. Distribution: Compost must be distributed for use within one year of completion of the compost process, and within three (3) years of receipt of the raw materials for composting.
13. Fire Control: The operator must develop and implement a plan to prevent combustion in residual and compost piles at the site.
14. Annual Report: By February 28th of each year, the operator must submit an annual report covering the previous calendar year. The annual report must contain;
  - A. The estimated volume of residuals received at the facility;
  - B. The estimated volume of compost produced at the facility;
  - C. The estimated volume of compost distributed from the facility;
  - D. The estimated volume of compost stored on site as of December 31st; and
  - E. A description of any problems in operations encountered during the year, and steps taken to correct those problems.
15. Closure: The facility must be closed in a manner that minimizes the need for further maintenance; and so that the closed facility will not pollute any waters of the state, contaminate the ambient air, constitute a hazard to health or welfare, or create a nuisance. At a minimum, the applicant must remove all wastes and compost from the facility; and broom-clean the facility structures and equipment.

**REQUIRED NOTIFICATION INFORMATION**

1. **Description.** Description of the proposed project including a description of the residuals to be composted.
2. **Title, Right, or Interest.** Information that demonstrates sufficient title, right or interest to property proposed for development, as specified in 06-096 CMR Chapter 2, section 7.
3. **Topographic Map.** A legible copy of the most recent full size U.S. Geological Survey topographic map of the area, showing the location of the proposed facility, and the property boundary.
4. **Flood Plain Map.** If the site is within 1/4 mile of a 100 year flood plain, a legible copy of the most recent FEMA flood insurance rate map of the area with the location of the facility clearly marked.
5. **Tax Map.** A legible copy of the local tax map marked with the facility location and the names and addresses of abutters. The map must indicate all residences within 500 feet of the waste handling area.
6. **Soil and Pad Design.** **ONE** of the following:
  - A. A certification from a Maine certified soil scientist that the soils where residuals will be composted and cured are moderately well drained to well drained, as classified by the Natural Resources Conservation Service, and that are at least 24 inches above the seasonal high water table, bedrock, and sand or gravel lenses;
  - B. A description of the pad or other surface that the residual will be composted and cured on, and which of the standards in Chapter 410, section 5.B.4 that surface meets;
  - C. A certification from a Maine certified soil scientist, soil engineer or other qualified individual that the surface is suitable for the proposed activity, taking into account the other aspects of the facility design; or
  - D. A certification that all composting and curing will be conducted under a permanent, roofed structure.
7. **Fire Control Plan.** A fire control plan to prevent combustion residual and compost piles.
8. **Public Notice.** Within 30 days prior to filing this application, you must provide public notice of intent to file this permit-by-rule notification with the Department. The notice must be mailed by certified mail or Certificate of Mailing to the municipal office of the municipality(ies) where the project will be located, and a copy included with this application. The public notice must include the following information:
  - A. Name, address and telephone number of the applicant;
  - B. Citation of the statutes or rules under which the permit-by-rule notification is being processed;
  - C. Location of the activity;
  - D. Summary of the activity;
  - E. Anticipated date for filing the permit-by-rule notification with the Department; and
  - F. A statement that public comments on the permit-by-rule notification may be provided to the Department within 10 days of the filing of the permit-by-rule notification, together with the mailing address of the Department.

END