

Summary of Compost & Compost-Related Fertilizer Regulations

CONNECTICUT

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Introduction

Nationally, organics, such as food and yard waste, constitute more than 25% of the municipal solid waste stream. And, this doesn't even include animal waste, such as manure. There is a renewed interest in diverting organics to compost and in producing value added products.

This document provides an overview of the existing laws as they pertain to the production of compost and fertilizer from compost. It is critical information for any compost processor or producer of fertilizer from compost. In addition to an overview of the laws, where they are available, hyperlinks to the full text are provided, as well as contact information for the regulatory agencies.

Compost

Contact: [KC Alexander](#), Department of Environmental Protection (DEP), (860) 424-3365

All permits or approvals for composting facilities must be secured prior to operation. DEP strongly recommends that operators of composting facilities which do not require permits contact the DEP Recycling program for technical assistance.

With Respect to Solid Waste Management Permits

- Composting is considered a volume reduction activity.
- A composting facility requires a solid waste volume reduction permit only if the processing capacity of the facility exceeds 1 ton/hour.
- Stockpiling raw organic materials on-site for longer than 45 days constitutes disposal and would require all appropriate disposal facility permits including groundwater discharge permits from the Water Management Bureau.
- Composting facilities which process only leaves and sheet leaf composting activities are exempt from needing solid waste volume reduction and water discharge permits provided they register with and/or notify the department on forms specified by the Commissioner. Composting facilities are required to report to DEP on such things as volume received, residue produced, markets used etc. Facility operators should consult their individual permit conditions and appropriate regulations for specific requirements.

With Respect to Water Protection Permits

- The need for a wastewater discharge permit as it relates to composting facilities is typically decided on a case-by-case basis.
- Actual or potential discharge should be eliminated as a pollution prevention measure whenever possible.
- Composting activities at POTW's are generally regulated through NPDES permits.
- Registration for a storm water discharge general permit may be required

Abbreviations and Terms

CNMP: Comprehensive Nutrient Management Plan.

NPDES: National Pollutant Discharge Elimination System.

POTW: Publicly Owned Treatment Works.

Wastewater Discharge Permit: Includes Individual Permits to Discharge to Groundwater; Individual NPDES Permits; Stormwater Construction General Permit; and Industrial Stormwater General Permit

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Summary of CT DEP Waste & Water Bureau Permits & Approvals that may be Required for Composting Operations (see note on next page*)

Type of Material	Where Material Is Generated	Where Material Is Composted	Type of Facility	Permit or Approvals Needed
Source Separated Organic Material	On-site	On-site	Source Separated Organic Materials Operation (enclosed)	Solid Waste Volume Reduction Permit only if >1 tph
Source Separated Organic Material	On-site	On-site	Source Separated Organic Materials Operation (not enclosed)	Solid Waste Volume Reduction Permit only if >1 tph and Water Discharge Permit or CNMP**
Source Separated Organic Material	Off-site	Off-site	Volume Reduction Facility (enclosed)	Solid Waste Volume Reduction Permit only if >1 tph
Source Separated Organic Material	Off-site	Off-site	Volume Reduction Facility (not enclosed)	Solid Waste Volume Reduction Permit only if >1 tph and Water Discharge Permit or CNMP**
Mixed Municipal Solid Waste	Off-site	Off-site	Volume Reduction Facility (enclosed)	Solid Waste Volume Reduction Permit only if >1 tph and certificate of need.
Mixed Municipal Solid Waste	Off-site	Off-site	Volume Reduction Facility (not enclosed)	Solid Waste Volume Reduction Permit only if >1 tph and certificate of need and Water Discharge Permit
Leaves	Off-site	Off-site	Leaf Composting Facility	Registration through Recycling Program
Leaves	Off-site	On-farm	Sheet Leaf Composting Location	Notification through Recycling Program
Agricultural Waste	On-farm	On-farm	On-site Agricultural Composting Facility	Comprehensive Nutrient Management Plan**
Agricultural Waste	On-farm	Off-farm	Volume Reduction Facility	Solid Waste Volume Reduction Permit only if >1 tph may need Water Discharge Permit
Agricultural Waste	Off-farm	On-farm	Volume Reduction Facility	Solid Waste Volume Reduction Permit only if >1 tph. May need Water Discharge permit.
Biosolids With Bulking Agent	On-site	On-site	Publicly Owned Treatment Works	NPDES Permit Amendment and EPA 503 Permit
Biosolids With Bulking Agent	On-site	Off-site	Volume Reduction Facility	Solid Waste Volume Reduction Permit <u>and</u> EPA 503 Permit

*Note: This table is intended to guide DEP staff and potential applicants as to the waste and/or water permits or approvals that may be required for specific types of composting facilities. The information provided herein is not to be relied upon as an accurate and complete description or interpretation of the provisions in any solid waste or water protection regulation. It is also not meant to cover every scenario that may arise. The DEP strongly recommends that anyone who is currently operating or interested in establishing a composting facility become familiar with pertinent regulations on statutes and contact the appropriate staff person for technical assistance prior to final decision.

**Must demonstrate that composting is an integral part of the farming operation.

Links to Online Resources:

- [CT DEP Composting & Organics Recycling Web page](http://www.ct.gov/dep/cwp/view.asp?a=2718&q=325344&depNav_GID=1645)
http://www.ct.gov/dep/cwp/view.asp?a=2718&q=325344&depNav_GID=1645
- [Leaf Composting Facility Registration Packet](http://www.ct.gov/dep/cwp/view.asp?a=2709&q=324210&depNav_GID=1643#Leaf)
http://www.ct.gov/dep/cwp/view.asp?a=2709&q=324210&depNav_GID=1643#Leaf
- [Sheet Leaf Composting Notification Packet](http://www.ct.gov/dep/cwp/view.asp?a=2709&q=324210&depNav_GID=1643#SheetLeaf)
http://www.ct.gov/dep/cwp/view.asp?a=2709&q=324210&depNav_GID=1643#SheetLeaf
- [Stormwater Construction General Permit Information](http://www.ct.gov/dep/cwp/view.asp?a=2709&q=324212&depNav_GID=1643#StormwaterConstructionGP)
http://www.ct.gov/dep/cwp/view.asp?a=2709&q=324212&depNav_GID=1643#StormwaterConstructionGP
- [Industrial Stormwater General Permit Information](http://www.ct.gov/dep/cwp/view.asp?a=2709&q=324212&depNav_GID=1643#StormwaterIndustrialGP)
http://www.ct.gov/dep/cwp/view.asp?a=2709&q=324212&depNav_GID=1643#StormwaterIndustrialGP
- [Wastewater Discharge Permit Information](http://www.ct.gov/dep/cwp/view.asp?a=2709&q=324212&depNav_GID=1643)
http://www.ct.gov/dep/cwp/view.asp?a=2709&q=324212&depNav_GID=1643

Fertilizers

Substitute House Bill No. 5055 Public Act No. 00-96

[An Act Concerning Soil Amendments and Agricultural Liming Materials](#)

<http://cga.ct.gov/2000/act/pa/2000PA-00096-R00HB-05055-PA.htm>

Pertinent Definitions

A soil amendment means any substance that intends to improve the physical or chemical characteristics of the soil, but doesn't mean commercial fertilizers, agricultural liming materials, unmanipulated animal and vegetable manures, compost, pesticides, or other materials exempted by regulations adopted by the commissioner under section 12 of this act.

Commercial fertilizer means any substance containing one or more recognized plant nutrients which is used for its plant nutrient content and which is designed for use or claimed to have value in promoting plant growth, except unmanipulated animal and vegetable manures, marl, lime, limestone, wood ashes, and gypsum.

Registration Requirements Per Product	Submitted annually
Registration Fee Per Product	Paid annually for fertilizers
Labeling Requirements	Yes
Inspection Fee (Tonnage Tax)	Paid annually for fertilizer
Reporting Requirements	Submitted annually for fertilizer
Inspection Responsibility	CT Department of Agriculture
Contact	<u>Wayne Nelson</u> , Agricultural Commodities Control Officer, (860) 713-2565
Website	<u>http://www.ct.gov/doag/</u>