

3745-560-01 Composting facilities - applicability.

- (A) This chapter is the program chapter for composting facilities.
- (B) Except as otherwise provided in paragraph (D) of this rule, this chapter shall apply to any person who establishes or operates a solid waste composting facility in the state of Ohio.
- (C) In addition to the multi-program rules made applicable by reference in this chapter, the following multi-program rules apply to this chapter:
- (1) Rule 3745-500-35 of the Administrative Code which pertains to relationships among authorizing documents, rules, and the authority of the director and board of health.
 - (2) Rule 3745-500-210 of the Administrative Code which pertains to a variance from this chapter.
 - (3) Rule 3745-500-220 of the Administrative Code which pertains to an exemption from this chapter.
- (D) This chapter shall not apply to the following:
- (1) Composting of solid wastes generated within a single-family residence and disposed of or utilized on the premises where generated in a manner that does not create a nuisance or health hazard.
 - (2) Any person composting yard waste, agricultural plant materials, animal waste, food scraps, bulking agents, and additives within an aggregate area not greater than five hundred square feet on any premises in a manner that noise, dust, and odors do not constitute a nuisance or health hazard and does not cause or contribute to surface or ground water pollution.
 - (3) Agricultural operations. Composting facilities at locations engaging in agriculture as defined in section 1.61 of the Revised Code and that compost yard waste, agricultural plant materials, animal waste, food scraps, and bulking agents generated from the agricultural operations provided that the following conditions are met:
 - (a) The owner of the composting facility is the same as the owner of the agricultural operation where the yard waste, agricultural plant materials, animal waste, food scraps, and bulking agents are generated.
 - (b) The composting facility is located on property owned by the agricultural operation.
 - (c) The composting facility is operated in such a manner that noise, dust, and odors do not constitute a nuisance or health hazard and does not cause or contribute to surface or ground water pollution.
 - (d) All compost produced is utilized exclusively at the agricultural operation.
 - (4) On-farm dead animal and raw rendering material composting. Except as otherwise provided in section 3734.029 of the Revised Code, composting facilities that compost dead animals and raw rendering material pursuant to section 939.04 of the Revised Code that sell or offer for sale at retail or wholesale, distribute for use, or give away any compost product are subject to the compost quality standards established in this chapter.
 - (5) Restricted yard waste composting facilities. Composting facilities that compost yard waste and bulking agents provided that the following conditions are met:

- (a) The owner or operator composts only yard waste and bulking agents generated by the owner of an operation engaged in providing lawn mowing or landscaping services or operations that generate yard waste while lawn mowing or landscaping the owner's premises.
 - (b) The owner of the composting facility is the same as the owner of the operation.
 - (c) The composting facility is located on the owner's property.
 - (d) The limits of materials placement on the facility site are less than twenty-five hundred square feet of total area.
 - (e) The composting facility is operated in such a manner that noise, dust, and odors do not constitute a nuisance or health hazard and does not cause or contribute to surface or ground water pollution.
 - (f) All compost produced is utilized exclusively on the owner's property. The use of the compost in plant potting media by nurseries and greenhouses that grow plant stock is considered use on the owner's property for the purposes of this rule.
- (6) Sewage sludge composting. Sewage sludge composting with solid wastes when that sewage sludge composting is sewage sludge treatment or disposal pursuant to Chapter 3745-40 of the Administrative Code and is authorized by a current permit issued under Chapter 6111. of the Revised Code.
- (E) The following are not composting facilities and therefore are not subject to this chapter:
- (1) Wood recycling facilities. Facilities that grind, shred, or chip woody materials consisting of stumps, trees, limbs, branches, affixed leaves, bark, and other clean untreated wood to produce a wood product that does not meet the definition of compost product.
 - (2) Vermiculture operations. Any person that accepts food scraps, animal waste, and other feed for earthworms as long as the following criteria are met:
 - (a) Operations are conducted in a manner that noise, dust, and odors do not constitute a nuisance or health hazard and does not cause or contribute to surface or ground water pollution.
 - (b) Any vermicompost produced is utilized exclusively on property owned by the owner of the vermiculture operation.
- (F) Variances.
- (1) Any person may apply for a variance from any provision of this chapter for which an exemption is not required.
 - (2) A request for a variance and any action on the variance request shall be in accordance with rule 3745-500-210 of the Administrative Code.
- (G) Exemptions.
- (1) Any person may apply for an exemption from any provision of this chapter for which a variance is not required.
 - (2) A request for an exemption and any action on the exemption request shall be in accordance with rule 3745-500-220 of the Administrative Code.

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Certification

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Date

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