



west virginia department of environmental protection

Division of Water and Waste Management
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Charleston, WV 25304
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Harold D. Ward, Cabinet Secretary
dep.wv.gov

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REGISTRATION TO OPERATE A COMMERCIAL YARD WASTE COMPOSTING FACILITY

Pursuant to 33CSR3, “Yard Waste Composting Rule”, Subsection 2.2., “Commercial Yard Waste Composting Facility” means any solid waste facility which is authorized to handle or accept up to thirty-six thousand (36,000) tons per year of yard waste and/or other compostable solid waste materials generated by sources other than the owner or operator of the facility, provided that, a commercial yard waste composting facility does not include an approved solid waste facility owned and operated by a person for the sole purpose of composting yard waste created by that person or other persons on a cost-sharing or nonprofit basis and shall not include land upon which finished compost is applied for use as a soil amendment/soil conditioner.

Prior to submitting this registration form the registrant should have thoroughly read 33CSR3, “Yard Waste Composting Rule”. The registrant must have obtained a Certificate of Need (CON) from the Public Service Commission of West Virginia, Certificate of Siting Approval from the county or regional solid waste authority, an approval from the Division of Culture and History, and a Lands Inquiry Response from the Wildlife Resources Section of the Division of Natural Resources.

This registration must be filed in accordance with 33CSR3 Subsection 3.5.a.. The composting operation for which this registration is being made shall be located and operated in compliance with the location standards and operational requirements set forth in 33CSR3, “Yard Waste Composting Rule”.

Failure to comply with the conditions of the W.Va. Code Section 22-15-1, the rules promulgated thereunder, 33CSR3, and this registration, may result in revocation of the registration and/or enforcement action by the West Virginia Department of Environmental Protection (Department).

Compliance with any of the location standards for yard waste composting facilities or activities in 33CSR3 does not relieve the owner or operator from compliance with all applicable federal, state, county or local laws, rules, ordinances, restrictions, or codes.

Registrants must provide the following information:

Owner's/Registrant's Information:

Owner's Name: _____
Name of Company: _____
Owner's Address: _____
Owner's Telephone No.: _____
Status as a federal, state, private, public, or other entity:

Operator's Information:

Operator's Name: _____
Name of Company: _____
Operator's Address: _____
Operator's Telephone No.: _____

Facility Information:

Facility Name: _____
Facility Address: _____
County: _____
Nearest Town: _____
Facility's Telephone No.: _____

Center of Site: Latitude: _____ **Longitude:** _____

Submit a copy of legal documents demonstrating the registrant has the legal right to enter and conduct commercial yard waste composting operations on the property including a copy of deed or lease agreement.

Proposed Hours of Operation:

Monday, _____ a.m. to _____ p.m. Thursday, _____ a.m. to _____ p.m.
Tuesday, _____ a.m. to _____ p.m. Friday, _____ a.m. to _____ p.m.
Wednesday, _____ a.m. to _____ p.m. Saturday, _____ a.m. to _____ p.m.

The registrant must submit all information required by the Non-Disposal Solid Waste Facility Permit.

The registrant for a permit to establish, install, construct, operate and close a commercial yard waste composting facility shall include with the registration an engineering report which shall contain, at a minimum, all information contained in 33CSR3 Subdivision 3.6.b..

Operators of commercial yard waste composting facilities must comply with the requirements of 33CSR3 Section 5 "Commercial Yard Waste Composting Operator Training and Certification Program".

CERTIFICATION

I, _____, certify under penalty of law that
(Print Name of Owner/Registrant)

this registration and all attachments were prepared under my direction or supervision and that the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of revocation of registration, fine and/or enforcement action for knowing violations.

(Signature of Owner/Registrant)

(Date)

STATE OF WEST VIRGINIA
COUNTY OF: _____

Taken, subscribed and sworn to before me, a Notary Public in and for the County and State aforesaid this _____ day of _____, 20 ____.

My commission expires: _____

(Notary Public)

STAMP OR SEAL

Please submit four (4) copies of the registration, including all supporting documents, distributed as follows: two (2) copies shall be submitted to the Department of Environmental Protection, Division of Water and Waste Management, Solid Waste Management; one (1) copy shall be submitted to the Solid Waste Management Board; and one (1) copy shall be submitted to the county or regional solid waste authority for the area in which the proposed facility is to be located.

The registration filed for a commercial yard waste composting facility permit must be accompanied by a nonrefundable fee made payable to the Department of Environmental Protection in the amount of five hundred (\$500.00) dollars. The Department of Environmental Protection may require a fee of fifty (\$50.00) dollars, or ten (10) percent of the fee, for any registration refiled due to incompleteness.

If you have questions regarding this registration for a commercial composting activity, please contact the WVDEP/Solid Waste Management Unit at (304) 926-0499.

We will process your personal information (email address, mailing address and/or telephone number) in accordance with the State of West Virginia's Privacy Policy for appropriate and customary business purposes. Your personal information may be disclosed to other state agencies or third parties in the normal course of business or as needed to comply with statutory or regulatory requirements, including Freedom of Information Act requests. The Division of Water and Waste Management will appropriately secure your personal information. If you have any questions about our use of your personal information, please contact the DEP's Chief Privacy officer at depprivacyofficer@wv.gov.