



west virginia department of environmental protection

Division of Water and Waste Management
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Harold D. Ward, Cabinet Secretary
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REGISTRATION TO OPERATE A NON-RESIDENTIAL COMPOSTING ACTIVITY

Pursuant to 33CSR3 "Yard Waste Composting Rule", Subsection 2.4., "Non-residential composting activities" means a composting activity by persons such as landscape contractors, nurseries, or greenhouses, lawn and garden companies, solid waste authorities and municipalities which are authorized to compost up to twelve thousand (12,000) tons per year of yard waste materials consisting of grass clippings, weeds, leaves, brush/shrub or tree prunings and other acceptable compostable materials which have been approved in writing by the Director to produce a safe product for use as a soil amendment/soil conditioner.

The non-residential composting activity must also be noncommercial. Pursuant to 33CSR1 Subsection 2.82., "Noncommercial Solid Waste Facility" means any approved solid waste facility owned and operated by a person for the sole purpose of disposing of solid wastes created by that person or such person and other persons on a cost-sharing or nonprofit basis.

Prior to submitting this registration form, the registrant should have thoroughly read 33CSR3 "Yard Waste Composting Rule". This registration must be filed in accordance with 33CSR3 Subsection 3.5.a. and 3.5.b.. 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". Any person applying for this registration must be the operator of the Non-residential Composting Activity and must own the property on which the activity will take place. The property owner is responsible for the removal and the proper disposal of any unauthorized waste.

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:

Registrant's Information:

Registrant's Name: _____

Name of Company: _____

Registrant's Address: _____

Registrant's Telephone Number: _____

Facility Information:

Facility Name: _____

Facility Address: _____

County: _____

Nearest Town: _____

Facility's Telephone Number: _____

Center of Disposal Area:

Latitude: _____ **Longitude:** _____

Attach a map to show the location of the composting activity. Attach a general county highway map showing the site location and surrounding area within (minimum) fifteen hundred (1,500) feet of the surrounding area.

Estimated Starting Date of Operation: _____

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.

Attach additional pages, if necessary

Description of yard waste to be composted:

Estimated weight or volume (cubic yards) of yard waste to be composted per month:

Description of the yard waste composting operation (operation size, collection area, other participants, etc.):

Description of composting process to be used:

Intended distribution of finished product:

Planned life of Non-residential Composting Activity:

Questions:

1. Will the non-residential composting activities be sited or constructed in areas closer than one hundred (100) feet to any regularly flowing stream, pond, lake, wetland or spring? Yes: _____ No: _____
2. Will the non-residential composting activities have sufficient area and terrain to allow for the proper management of runoff and leachate? Yes: _____ No: _____
3. Will the non-residential composting activities be located within one hundred (100) feet of an adjacent property owner's boundary line? Yes: _____ No: _____

If yes, please complete the "Agreement Between the Property Owner and the Registrant to Operate a Non-residential Composting Activity Within One Hundred Feet of Property Not Owned by the Waste Generator".

4. Will the non-residential composting activities be located with one hundred (100) feet of a sinkhole? Yes: _____ No: _____
5. Will the non-residential composting activities exceed five (5) acres in size? Yes: _____ No: _____

NOTE: IF ANY OF THE INFORMATION SUBMITTED IN THIS REGISTRATION CHANGES, A WRITTEN NOTIFICATION OF THE CHANGES MUST BE SUBMITTED TO THE DEPARTMENT.

Persons submitting this registration form must submit the following certifications.

CERTIFICATION

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

(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

**CERTIFICATION OF THE WASTE GENERATOR
TO OPERATE THE PROPOSED NON-RESIDENTIAL COMPOSTING ACTIVITY
AS A "NONCOMMERCIAL SOLID WASTE FACILITY"**

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

as the registrant I will be operator of record for this registration. As such, I accept full legal and all other responsibilities for the operation. I further certify that I will operate the proposed facility as a Noncommercial Solid Waste Facility. I understand that I may not receive compensation in any form associated with the composting activity allowed during the operation and closure of the proposed facility. I understand that use of this facility on a commercial basis is strictly prohibited and may result in fines and/or enforcement action and the revocation of my eligibility to acquire any future registration otherwise authorized under a non-residential composting activity.

(Signature of Waste Generator)

(Date)

(Title of Waste Generator)

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

**AGREEMENT BETWEEN THE PROPERTY OWNER AND THE REGISTRANT
TO OPERATE A NON-RESIDENTIAL COMPOSTING ACTIVITY
WITHIN ONE HUNDRED FEET OF PROPERTY
NOT OWNED BY THE WASTE GENERATOR**

Note: This agreement is not necessary if the non-residential composting activity is not within one hundred (100) feet of an adjacent property owner's property line.

I, _____, having read the registration
(Print Name of Adjacent Property Owner)

and all attachments proposed to be submitted by the registrant to the West Virginia Department of Environmental Protection, do hereby grant permission to:

_____ to operate a non-residential
(Print Name of Registrant)

composting activity within one hundred (100) feet of my property. I understand that, by granting this permission, the non-residential compost operator will be allowed reasonable access to the site during operation of the composting activity.

(Signature of Property Owner)

(Signature of Waste Generator)

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: _____

STAMP OR SEAL

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.