



# Texas Commission on Environmental Quality

## Notice of Intent to Operate a Compost Facility

### Who Should Use This Form

Use this form to notify the Texas Commission on Environmental Quality (TCEQ) of your intent to operate a compost facility that will compost source-separated meat, fish, dead animal carcasses, oils, greases, or dairy materials with yard trimmings, clean wood material, vegetative material, paper, or manure from municipal, community, commercial, institutional, recreational, and nonhazardous industrial sources. Also use this form to make changes to feedstocks, cost estimates, or other details at existing facilities.

This notification is required by [Title 30, Texas Administrative Code \(30 TAC\) Chapter 332<sup>1</sup>](#), Subchapter B. You must provide this notification at least 30 days before you begin construction of the proposed facility, in accordance with 30 TAC 332.22. In addition to providing this notification, you must also ensure that your facility complies with General Requirements in 30 TAC 332.4.

Submit this form to the Municipal Solid Waste Permits Section MC-124, TCEQ, P.O. Box 13087, Austin, TX 78711-3087. If you have any questions about this form, please contact us at (512) 239-2335, or by email to [mswper@tceq.texas.gov](mailto:mswper@tceq.texas.gov).

<b>1. Application Type</b>
New Facility
Existing Facility MSW NOI Number (for existing facility): _____

<b>2. Facility Information (must match Regulated Entity information on Core Data Form)</b>
Facility Name: _____
Physical Address: _____
City: _____ State: _____ Zip code: _____ County: _____

<b>3. Facility Owner Information (must match Customer information on Core Data Form)</b>
Submit a complete Core Data Form for the facility owner. The Core Data Form and instructions are available at <a href="http://www.tceq.texas.gov/goto/coredata">www.tceq.texas.gov/goto/coredata</a> .
Person's Name: _____
Mailing Address: _____
City: _____ State: _____ Zip code: _____ County: _____

<sup>1</sup> [texas-sos.appianportalsgov.com/rules-and-meetings?chapter=332&interface=VIEW\\_TAC&part=1&title=30](http://texas-sos.appianportalsgov.com/rules-and-meetings?chapter=332&interface=VIEW_TAC&part=1&title=30)

**4. Property Owner Information (must match Customer information on Core Data Form)**

Check this box if Property Owner is different from Facility Owner. If the Property Owner is different from the Facility Owner, include a separate Core Data Form for the Property Owner.

Person's Name: \_\_\_\_\_

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

City: \_\_\_\_\_ State: \_\_\_\_ Zip code: \_\_\_\_\_ County: \_\_\_\_\_

**5. Facility Operator Contact Information**

Person's Name: \_\_\_\_\_

Company: \_\_\_\_\_

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

City: \_\_\_\_\_ State: \_\_\_\_ Zip code: \_\_\_\_\_

Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

**6. Feedstocks and Process**

Indicate all feedstocks that will be composted at the facility:

- |   |  |                                |                                 |
|---|--|--------------------------------|---------------------------------|
| <input type="checkbox"/> Yard Trimmings       | <input type="checkbox"/> Clean Wood      | <input type="checkbox"/> Paper | <input type="checkbox"/> Manure |
| <input type="checkbox"/> Vegetative Materials | <input type="checkbox"/> Dairy Materials | <input type="checkbox"/> Oil   | <input type="checkbox"/> Meat   |
| <input type="checkbox"/> Animal Carcasses     | <input type="checkbox"/> Grease          | <input type="checkbox"/> Fish  |                                 |
| <input type="checkbox"/> Other – Describe:    |  |                                |                                 |

Will any feedstocks be received from industrial sources?    Yes    No

If Yes, you must notify the TCEQ's Industrial Hazardous Waste Permits Section using the TCEQ-0524 form.

**7. Composting Method [30 TAC §332.23]**

Will composting method be Aerobic only?    Yes    No

Will Anaerobic composting be conducted?    Yes    No

If Anaerobic composting is conducted, it must only be done during the early stages of processing and must be followed by a period of functional aerobic composting.

### **Pathogen Reduction**

Identify which Pathogen Reduction method(s) will be used:

- Within-vessel composting method
- Static aerated pile composting method
- Windrow composting method

Attach a description of your composting process to this notification form.

### **8. Site Location Map [30 TAC §332.22]**

Attach a site location map. The map must contain at minimum:

- The facility boundary;
- A map that locates the landowners whose property borders the property where the facility is located upon; and
- The boundary line(s) for compost operation(s) that demonstrate a setback distance from all facility boundaries to the edge of the area receiving, processing, or storing feedstock or finished product is at least 50 feet.

### **9. Landowners List [30 TAC §332.22(b)]**

Attach a list of all landowners. The list should contain the addresses and names of all landowners whose property borders the property where the facility will operate. This shall be determined from the current county tax rolls or other reliable sources at the time the application is filed. The list will be keyed to the site location map.

### **10. Air Quality Requirements [30 TAC §332.8]**

#### **Dust Suppression**

Indicate dust suppression method for all permanent in-plant roads and vehicle work areas:

- Watered
- Treated with dust-suppressant chemicals
- Paved and cleaned as necessary to achieve maximum dust control

Are all facility grinders located in an enclosed building?    Yes    No

If No, describe controls that will be used to suppress dust:

Are all facility conveyors located in an enclosed building?    Yes    No

If No, describe controls that will be used to suppress dust:

## Odor Control

Prior to receiving any material with a high odor potential, you must ensure that there is an adequate volume of bulking material to blend with or cover the material and must begin processing the material in a manner that prevents nuisances.

Will the facility accept any high odor material?    Yes    No

If the facility will accept high odor material, describe the bulking material that will be used:

## 11. Cost Estimate [30 TAC §328.5]

Attach a cost estimate worksheet to this notification. The cost estimate must include the maximum volume of combustible material that may be stored outdoors, and the total cost for closure of the facility. The worksheet must contain the information shown described in the document *Guidelines for Complying with Financial Assurance Requirements for Recycling, Composting, and Mulching Facilities* available at: [www.tceq.texas.gov/goto/mswrecycle#fin\\_assur](http://www.tceq.texas.gov/goto/mswrecycle#fin_assur).

Indicate the total closure cost estimate from the worksheet: \$ \_\_\_\_\_

Indicate in cubic yards the maximum volume of combustible material stored outdoors: \_\_\_\_\_

## 12. Applicability of Texas Health and Safety Code 364.020

If a municipality has a food waste diversion ordinance (for example, an ordinance prohibiting disposal of food waste in a landfill), a person may not deposit food waste from that municipality at a compost facility located in a different county, unless certain criteria are met.

Check this box to acknowledge the facility will comply with THSC 364.020.

## 13. Additional Requirements for Facilities in Bexar County

If your facility is located in Bexar County and will store combustible material for producing mulch or compost, you must comply with additional requirements detailed in 30 TAC 328.4(g).

Indicate in cubic yards the maximum volume of combustible materials the facility will store, including materials stored indoors and outdoors: \_\_\_\_\_

Indicate the number of compost piles at the facility: \_\_\_\_\_

**14. Attachment Checklist**

- Core Data Form (Facility Owner)
- Core Data Form (Property Owner, if different from Facility Owner)
- Composting Process Description
- Site Location Map
- Closure Cost Estimate Worksheet
- List of Landowners, including addresses

**Applicant's Certification**

The applicant is the person or entity who would be the owner of the facility and in whose name the authorization would be issued.

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Signature of Owner: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_ Title: \_\_\_\_\_