Texas Commission on Environmental Quality

Application for Compost Registration

(Compost Form No. 2)

# Who Should Use This Form

Use this form to apply for a new registration, or modify an existing registration from the Texas Commission on Environmental Quality (TCEQ), to compost municipal sewage sludge, positively-sorted organic material, source-separated organic material, diapers, or sludge byproduct of paper production.

This application is required by Title 30, Texas Administrative Code (30 TAC) Chapter 332, Subchapter C. In addition, in accordance with 30 TAC 332.32, you must provide certification by a registered professional engineer, display ownership or control of the property, and have the facility inspected by the TCEQ before operations can begin.

Submit an original and two copies of all application documents including this form and an application fee of $150 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.

Application Type

[ ]  New Facility

[ ]  Revisions to an Existing Facility MSW Registration Number (for existing facility):

Application Fee

Indicate how you paid the application fee, and attach a copy of the fee receipt.

[ ]  Paid by Check [ ]  Paid Online

If paid online, provide e-Pay Confirmation Number:

Facility Information (must match Regulated Entity information on Core Data Form)

Facility Name:

Physical Address:

City:       State:       Zip code:       County:

Facility Owner Information (must match Customer information on Core Data Form)

Company Name:

Mailing Address:

City:       State:       Zip code:       County:

Submit a complete Core Data Form for the facility owner. The Core Data Form and instructions are available at <[www.tceq.texas.gov/goto/coredata](http://www.tceq.texas.gov/goto/coredata)>.

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, and have the Property Owner complete the Property Owner Affidavit section of this form.

Person/Company Name:

Mailing Address:

City:       State:       Zip code:       County:

Applicant Contact Information

Person’s Name:       Company:

Mailing Address:

City:       State:       Zip code:

Phone:       E-mail:

Consulting Engineer Information

Engineer’s Name:       Firm Name:

Mailing Address:

City:       State:       Zip code:

Phone:       E-mail:

Feedstocks

Indicate all feedstocks that will be composted at the facility (30 TAC 332.3(b)):

[ ]  Positively-sorted Organics [ ]  Municipal Sewage Sludge

[ ]  Disposable Diapers or paper products soiled by human excreta

[ ]  Paper Production Sludge (must comply with special requirements in 30 TAC 332.33(b))

[ ]  Other Feedstocks, including bulking material – Describe:

Excluded Feedstocks

The following wastes must be managed in accordance with 30 TAC Chapter 335 (relating to Industrial Solid Waste and Municipal Hazardous Waste):

* Any nonhazardous industrial solid wastes listed in 30 TAC 332.4(10) that are *not* managed in accordance with the requirements of Chapter 332.
* Any nonhazardous industrial solid wastes not listed in subsection 30 TAC 332.4(10).
* All hazardous wastes (30 TAC 332.4(11)).

[ ]  Check this box to indicate you are aware of these feedstock limitations.

Air Quality Requirements

General

Composting operations required to obtain a registration must meet the requirements in 30 TAC 332.8(d) to be covered under an air quality standard permit.

[ ]  Check this box to indicate you are aware of these requirements.

Dust Suppression

Indicate dust suppression method(s) that will be used 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 such as dairy material, meat, fish, and oil and grease, you must insure that there is an adequate volume of bulking material to blend with or cover the material, and shall begin processing the material in a manner that prevents nuisances.

[ ]  Check this box to indicate you agree to comply with requirements for managing high odor material at this facility.

Location Description and Site Map

Attach a site location map showing the boundaries of the planned facility, on a base map that is all or a portion of a county map prepared by Texas Department of Transportation (30 TAC 332.34(10)). At a minimum, the map shall be at a scale of 1/2 inch equals one mile, and map must include:

* The boundary lines for compost operations which demonstrate a setback distance at least 50-feet from the facility boundaries to the edge of the areas for receiving, processing, or storing feedstock or finished product.
* The geographic coordinates and elevation for the southeast corner of the facility.

Adjacent Landowners List and Map

Attach a list of all adjacent landowners and a map locating the property owned by these persons. The list should contain the addresses and names of all landowners whose property borders the property where the facility will operate (30 TAC 332.34(11)).

Coordination with Government Agencies

Provide information in accordance with 30 TAC 332.34(8) about government agencies representing the area where the facility will be located. Attach copies of letters demonstrating you have notified and coordinated with those agencies, and copies of received responses.

Texas Department of Transportation (TxDOT)

TxDOT District Name and Number:

District Engineer’s Name:

Mailing Address:

City:       State:       Zip code:       County:

Local Authority for road maintenance is:

U.S. Army Corps of Engineers (USACE)

Select the district the facility is located within:

[ ]  Albuquerque, NM [ ]  Ft. Worth, TX [ ]  Galveston, TX [ ]  Tulsa, OK

Local Council of Governments (COG)

COG Name:

COG Representative’s Name:

COG Representative’s Title:

Mailing Address:

City:       State:       Zip code:       County:

River Basin Authority

River Basin Authority Name:

Contact Person’s Name:

Watershed Sub-Basin Name:

Mailing Address:

City:       State:       Zip code:       County:

Federal Aviation Administration (FAA)

[ ]  Check this box if the facility will be located within six (6) miles of an airport. If this box is checked you must include documentation of coordination with FAA.

Texas Historical Commission (THC)

Attach correspondence with the Texas Historical Commission.

Texas Parks and Wildlife Department (TPWD)

Attach correspondence with the Texas Parks and Wildlife Department.

State Elected Officials

Provide information in accordance with 30 TAC 332.34(8) about state elected officials.

Texas House District No.

Representative Name:

District Office Address:

City:       State:       Zip code:       County:

Phone:

Texas Senate District No.

Senator Name:

District Office Address:

City:       State:       Zip code:       County:

Phone:

Local Government Jurisdiction and Ordinances

Provide information in accordance with 30 TAC 332.34(8) about local government jurisdiction.

Within the City Limits of:

Within Extraterritorial Jurisdiction of:

Is the facility located in an area in which the governing body of the municipality or county has prohibited the storage or processing of municipal or industrial solid waste?

[ ]  Yes [ ]  No If Yes, please attach a copy of the ordinance or order.

Site Operating Plan

Attach a Site Operating Plan containing the information specified in 30 TAC 332.34(12).

Construction Plans and Specifications

Attach all construction plans and specifications in accordance with 30 TAC 332.34(13). The facility plans and specifications shall reflect the provisions of Chapter 332 to the maximum extent possible, and include at minimum a site layout plan and design criteria for all facility elements with specifications (dimensions, capacity, etc.).

Closure Plan

Attach a closure plan for proper closure of the facility in accordance with 30 TAC 332.34(14), including disposition of any remaining feedstocks, in-process materials, and processed materials

Closure Cost Estimates and Financial Assurance

If you store combustible material outdoors (or if the executive director determines your operation poses a significant risk to public health and safety), you are required by 30 TAC 332.34(15) to provide cost estimates and financial assurance in accordance with 30 TAC 328.5(c) through (e), unless your facility is excluded by 328.5(a).

Will you be storing combustible material outdoors? [ ]  Yes [ ]  No

If Yes, attach a cost estimate worksheet to this application. The cost estimate must specify the maximum amount of combustible material that may be stored, and the total cost for closure including disposition of all processed and unprocessed combustible materials. The worksheet must contain at minimum all applicable information shown in Appendix C, Closure Cost Estimate Worksheet, in Guidelines for Complying with Financial Assurance Requirements for Recycling, Composting, and Mulching Facilities, available at <[www.tceq.texas.gov/goto/mswrecycle](http://www.tceq.texas.gov/goto/mswrecycle)>.

Indicate the total closure cost estimate from the worksheet: $

Indicate in cubic yards the anticipated maximum volume of combustible material to be stored outdoors:

Additional Application Requirements

The registration application must also indicate that the owner or operator and the facility will comply with:

* 30 TAC 332.36 (Location Standards);
* 30 TAC 332.37(Operational Requirements), including end-product standards referenced in 332.37(11); and
* 30 TAC 332.38 (Records Requirements).

Required Attachments Attachment No.

Core Data Form(s)

Fee Receipt

Legal Authority – 30 TAC §332.34(5), provide verification of your legal status. Normally, this is a one-page certificate of incorporation issued by the Office of the Secretary of State.

Evidence of Competency – 30 TAC §332.34(6), provide the names of the principals and supervisors of your organization and the name, location and state‑issued permit, registration or notification numbers of any compost or solid waste operations that you or your organization have operated or are operating in Texas.

Notice of Appointment – 30 TAC §332.34(7), the applicant shall provide a notice of appointment identifying the registered professional engineer who is certifying the design of the facility, and who will certify that the facility has been constructed as designed and is in general compliance with the regulations prior to accepting any feedstock at the facility.

Notices of Coordination with Government Agencies

Legal Description –

 Metes and bounds description

 Boundary metes and bounds drawing

Landowners List with addresses

Site Location Map

Site Operating Plan

Construction Plans and Specifications

Closure Plan and Cost Estimate Worksheet for Financial Assurance

Local Government Ordinances

Applicant’s Certification

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:

Notary Public’s Certification:

Subscribed and sworn to before me, by the said

On this day of ,

My commission expires on the day of ,

Notary Public in and for

 County, Texas.

Property Owner’s Affidavit

The owner of the property must sign the following statement:

* I acknowledge that the State of Texas may hold the property owner of record either jointly or severally responsible for the operation, maintenance, and closure or post-closure care of the facility.
* I acknowledge that the facility owner or operator and the State of Texas shall have access to the property during the active life and post-closure care period, if required, after closure for the purpose of inspection and maintenance.
* Signature of Owner:       Date:
Printed Name: