

**STATE WATER RESOURCES CONTROL BOARD
BOARD WORKSHOP SESSION – DIVISION OF WATER QUALITY
JUNE 16, 2015**

ITEM 8

SUBJECT

BOARD WORKSHOP FOR THE PROPOSED GENERAL WASTE DISCHARGE REQUIREMENTS FOR COMPOSTING OPERATIONS.

DISCUSSION

The State of California currently disposes an estimated 35 million tons of waste annually in landfills, of which 32 percent is compostable. Composting organic material yields environmental benefits by recycling nutrients and diverting materials from landfills. Assembly Bill No. 341 enacted in 2011 established a policy goal that not less than 75 percent of the solid waste generated in the state be source-reduced, recycled, or composted by 2020. The California Department of Resource Recycling and Recovery (CalRecycle) developed a plan to increase the diversion of compostable material. Therefore, it is expected that the number of composting operations in California could be doubled or tripled in order to meet the 75 percent diversion goal. A statewide order for composting operations will result in a streamlined and efficient permit process, will reduce permitting delays, and will allow the Regional Water Quality Control Boards (Regional Water Boards) the ability to be more responsive to the expected increase in the number of composting operations.

Water Code section 13260 states that any person discharging waste or proposing to discharge waste, within any region that could affect the quality of waters of the state must file a report of waste discharge with the appropriate Regional Water Board. Water Code section 13263 states that the State Water Board or a Regional Water Board may prescribe general Waste Discharge Requirements (WDRs) for a category of discharges that meet specified criteria. State Water Resources Control Board (State Water Board) has developed the General Waste Discharge Requirements for Composting Operations (General Order) to provide a transparent regulatory framework for existing and new composting operations statewide which also allows the dischargers to have a better understanding of the regulatory requirements as they plan construction of new facilities.

The General Order provides for an exemption of composting operations that receive, process, and store less than 500 cubic yards of allowable materials at any given time. Also exempt are composting operations that receive, process, and store less than 5000 cubic yards of allowable materials per year and implement the management practices specified in the General Order. The General Order has a two-tiered system, for composting operations covered by the General Order, which is based on volume, type of feedstock, and hydrogeological conditions. It is the intent of the State Water Board that Regional Water Boards will enroll all eligible composting operations under this General Order Existing Dischargers covered by individual WDRs or a conditional waiver of WDRs may continue discharging under that authority until those orders expire or come up for renewal. New composting operations will be required to seek coverage under the General Order by filing a Notice of Intent and technical report with the appropriate Regional Water Board.

The public notice of the proposed Environmental Impact Report (EIR) and General Order began on January 13, 2015 and ended on March 2, 2015. Public notice of the draft EIR and General Order was transmitted by U.S. mail to all 58 county clerks for a 45-day posting of the California Environmental Quality Act (CEQA) notice, owners and operators of all known composting operations, and all known interested stakeholders. A legal notice was published in six newspapers with the largest circulation in geographic areas across the state, automated e-mail messages containing the public notice were transmitted to Lyris lists related to Composting, and the notice was published on the State Water Board's web site.

A public workshop was held on February 13, 2015 and two follow-up focused stakeholder meetings were held on February 24 and 26, 2015. Written comments on the draft EIR and the General Order were received and reviewed, and the [draft EIR](#) and the [General Order](#) were revised where appropriate.

Some stakeholders have expressed concern that cost of compliance with the General Order will result in an increase of direct land application of green waste. The purpose of this workshop is to provide information on the proposed changes to the General Order in response to public comments, discuss major stakeholder concerns, and to receive public input in advance of the currently scheduled July 7, 2015 Board Meeting. The State Water Board will also hear information and comments regarding management of green waste in California including the relationship between the land application of un-composted green waste, the General Order, and the state's policy of 75 percent recycling, composting, and source reduction by 2020.

POLICY ISSUE

None.

FISCAL IMPACT

None.

REGIONAL BOARD IMPACT

None.

STAFF RECOMMENDATION

Staff recommends that the State Water Board bring this item to the July 7, 2015 Board Meeting to approve the Resolution to certify the Environmental Impact Report and adopt General Waste Discharge Requirements for Composting Operations.

<p>State Water Board action on this item will assist the Water Boards in reaching Goals 1, 2, and 6 of the Strategic Plan Update 2008–2012, to protect and restore all surface waters, protect groundwater quality in high use basins, and enhance consistency across the water boards. In addition as stated in Assembly Bill No. 685 (2011–2012 Reg. Sess., chaptered September 25, 2012, ch. 524, Stats. 2012.), “every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes.” This General Order protects water quality in accordance with Assembly Bill 685.</p>
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