

Compost Stormwater vs. Wastewater

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Why Is This An Issue?

- Oct. 2006 – DENR/DWQ decided to require wastewater discharge permits at yard and solid waste composting facilities
- Has not been possible to get storm water discharge permits at these facilities
- Policy shift based on limited sampling and impact assessment
- Impact to date: over \$1 Million in extra costs; major delays in permit renewals; a freeze on composting industry expansion in NC

History

- Oct. 5, 2006 – DENR internal policy change
- 2006 – 2009 – unsuccessful attempts at dialogue
- 2009 – House Bill 1100 introduced to require DENR to form Compost Stakeholders Group
- HB 1100 signed into law July 17, 2009
- First stakeholder group meeting Dec.18,2009
 - 1,170 days to open a dialogue with the industry
- Four meetings of COSAG to date

NCCC Key Issues

- Existing facilities not designed for water quality protection, only water quantity reduction (some)
- Little evidence that NC in-stream water quality standards have been violated by NC composters
- Wastewater discharge permitting significantly more expensive & time-consuming than storm water permitting
- Runoff from finished compost piles to be regulated as wastewater at some facilities

NCCC Positions

- Require existing facilities to retrofit water quality BMPs only if evidence of in-stream WQ standard violations; otherwise only monitor storm water quarterly
- Permit applications (new and renewal) should be “one-stop shop” format and BMPs selected from pre-approved checklist
- Runoff from finished compost piles should not be regulated unless inventoried quantities > 10K CY; then regulated only as storm water

NCCC Positions, cont.

- Facilities should not need permit to recycle storm water internally for moisture control
- No penalty should arise from storm water discharges > 25-yr, 24-hr storm
- NCDENR should establish a definite point in composting when compost is deemed a “product” and no longer subject to regulatory oversight
- All composting facilities should have trained and certified operators

Summary

- Composting industry in NC exists, in large part, from State ban on landfilling yard wastes
- NCDENR-DWQ is finally beginning to understand the composting industry and a dialogue is underway about best ways to manage site runoff
- Some future regulation of water runoff is inevitable; NCCC's goal is to ensure those regulations are tolerable and don't impose unnecessary financial burdens