disposition of the remains of a pet in a grave, a mausoleum, a columbarium, a vault, or other receptacle.

§ 6-1104. Accepted composting practices for small composting facilities.

(a)(1) Applicability. This section applies to composting facilities that:

(A) compost 5000 cubic yards per year or less of total organics of which not more than 2000 cubic yards per year or less are food residuals or food processing residuals;

(B) manage 10,000 cubic yards or less per year of solely leaf, yard, and untreated wood residuals;

(C) do not compost animal mortalities, slaughterhouse waste, or offal; and

(D) have a compost management area four acres or less in size.

(2) A facility exempt from Act 250 pursuant to 10 V.S.A. § 6001 (3)(D)(vii)(VI) is not eligible to be registered under this section and shall apply for a permit under § 6-1105.

(3) Facilities registered under this section and in compliance with this section, the facility registration, and its facility management plan shall be considered operating consistent with accepted composting practices and subject to the permit limitations of 10 V.S.A. 6605j.

(b) Registration. No person shall operate a compost facility without registering that facility with the Secretary on a form provided by the Secretary and providing a copy of the facility management plan. A copy of the facility management plan and registration form shall also be provided to the solid waste planning entity. At a minimum the form shall contain the following:

(1) The name and contact information for the facility registrant.

(2) The name and location of the facility registered under this section.

(3) A certification by the facility registrant that the facility has been sited, designed, constructed, and will be operated in accordance with these rules.

(4) A statement by the facility owner that a copy of the registration was sent to the municipality and to the solid waste planning where the facility is located.

(5) Prior to submitting a registration, the applicant shall obtain a letter from the local solid waste planning entity that the facility is acceptable under its plan.

(c)(1) Siting criteria. A composting operation registered to operate under this section shall not construct the compost management area or the area used to treat leachate and run-off within the following siting minimum distances. The following siting distances shall not affect another property owner's ability to conduct activities not regulated by these rules:

(A) minimum of 300 feet from the nearest public or private water supplies not owned by the applicant;

(B) minimum of 3 feet from seasonal high water table and bedrock;

(C) minimum of 100 feet from surface water;

(D) minimum of 100 feet from all property lines and edge of public roads; and

(E) minimum of 300 feet from all residences not owned by the applicant and from all public buildings.

(2) Vermicomposting exemption. Vermicomposting facilities regulated under this section are not required to meet siting criteria provided that all activities occur within an enclosed structure with an impermeable floor.

(d) Prohibited areas. A composting operation registered to operate under this section shall not construct the compost management area or the area used to treat leachate and run-off in accordance within the following prohibited areas:

(1) The 100 year flood plain as shown on the National Flood Insurance Maps;

(2) A class I or class II wetland or its associated buffer zone unless a conditional use determination has been issued by the Secretary.

(3) A class III wetland unless authorized by the Secretary.

(4) Any location within a municipality where that municipality has prohibited compositing as a part of its zoning bylaws.

(5) Within a designated downtown or village center, unless the municipality has expressly allowed composting in that area.

(e) Prohibited activities. A composting operation registered to operate under this section shall not conduct any of the following prohibited activities:

(1) The discharge of any waste or wastewater from the operation of the facility into surface waters or wetlands.

(2) The construction of any basin, trench, pond, or depression with the purpose of discharging run off or leachate to groundwater.

(3) The operation or management of the facility in a manner that causes a nuisance condition.

(f) Liquids management. Composting activities shall be managed in a manner that prevents discharges off site and to surface waters. At a minimum, the facility shall conform to the following to meet that standard:

(1) Clean stormwater run-off from upgradient areas shall be diverted from running onto the compost management area and the area used for the management of run-off and leachate from the compost management area. This shall be accomplished using berms, swales, and other similar controls.

(2) The compost management area shall be located an average slope between two and five percent. The slope shall be maintained so that ponding in the compost management area will not occur.

(3) All run off and leachate shall be managed on property owned or leased by the registrant.

(4) A registrant shall manage leachate from the compost management area through the use of a vegetative area for the treatment of leachate and stormwater run off from the compost management area designed and maintained in the following manner:

(A) The vegetative treatment area shall be, at a minimum, equal to the area of the compost management area.

(B) The vegetative treatment area shall be equal to the contributing length of the compost management area in the downslope direction

(C) The vegetative treatment area shall be located on an area with a slope of less than or equal to five percent and shall be managed to prevent the ponding or pooling of liquids in the area.

(D) The vegetative treatment area shall be maintained and operated to slow the movement of liquids off the site and promote the uptake of liquids into the vegetation or infiltration of liquids into the soils.

(E) Any berms, swales or ditches used to convey water from the compost management area to the vegetative treatment area shall use finished compost, bark, stone, and fabric in the construction to filter suspended solids and excess nutrients from leachate.

(g) Facility management. Composting facilities shall be managed to properly compost materials, destroy pathogens, not create a threat to public health or the environment, and not create objectionable odors, noise, vectors or other nuisance conditions. The facility shall conform to the following to meet that standard:

(1) The compost feedstocks shall be limited to those listed on the procedure entitled "*Approved feedstocks for small facilities registered to operate under acceptable composting practices*" dated [date of signature] as may be amended.

(2) The clean high carbon bulking agents shall be limited to those listed on the procedure entitled "*Approved clean high carbon bulking agents for use at composting facilities*" dated [date of signature] as may be amended.

(3) All recipes shall be designed to ensure that the initial compost mix results in:

(A) A carbon to nitrogen (C:N) ratio of 20:1 to 40:1.

(B) A bulk density of less than 1200 pounds per cubic yard.

(C) A pH in the range of six to eight S.U.

(4) The pile size an windrow or pile, at the time of construction, shall be not greater than ten feet at the base and a maximum height of six feet.

(5) Compost stability. All finished products shall meet the following prior to marketing or distribution for sale:

(A) Temperature decline to near ambient conditions (less than 100° F) provided that the decline is not the result of improper management of the composting process. Composting records shall indicate appropriate schedules for turning, monitoring of moisture within the required range, and an appropriate mix of composting feedstocks.

(B) At a minimum, at least two of the following analyses shall be required annually if the Agency suspects, either through site inspections or complaint investigations, that compost is being distributed off-site before it matures:

(i) Reheat potential using the Dewar Compost Self-Heating Flask. The results must indicate a stable product. Temperature rise above ambient must not exceed 20°C for stable compost.

(ii) Specific oxygen uptake. To be classified as stable the product must have a specific oxygen uptake rate of less than 0.1 milligrams per gram of dry solids per hour.

(iii) SolvitaTM Compost Maturity Test. To be classified as stable the product must exhibit color equal or greater than six.

(iv) Carbon dioxide evolution. Respirometry rate that meets or is equivalent to standards established by the US Composting Council Seal of Testing Assurance to be classified as stable.

(v) Ammonia/Nitrate ratio of less than 3.

(vi) Plant tests conducted in a manner approved by the Agency.

(6) If the compost is to be marketed or distributed for sale, the final product shall not exceed the following concentrations. One test for these parameters annually.

Parameter	Maximum Total Concentration
Fecal Coliform	1000 MPN/g total solids (dry weight)
Salmonella	3MPN/4g total solids (dry weight)

(7) If the compost is to be marketed or distributed for sale, the final product shall not exceed the following concentrations. One test for these parameters annually.

Parameter	**Maximum Total Concentration (mg/kg dry wt)**
Arsenic	15
Cadmium	21
Chromium	1200
Copper	1500
Lead	300
Mercury	10
Nickel	420
Zinc	2800

(h) Recordkeeping requirements. The compost facility shall keep records for the following activities at the facility office in a dry and secure location available for review for five years. At a minimum, records on the following shall be retained:

(1) The temperature of the compost windrows shall be monitored on a daily basis during the treatment process. The temperature should be monitored at one foot and three foot depths every five liner feet of windrow at the base of the windrow while achieving the treatment standards established in subsection (j)(4) of this section.

(2) weekly amounts, recorded in either tons or cubic yards, and types, of incoming compost feedstock;

(3) annual amount of compost produced in cubic yards;

(4) annual amount of contaminants disposed of; and,

(5) copies of all analytical results for metals and maturity testing as required by subsection (g)(4) and (5).

(i) Reporting requirements.

(1) Data in the form of an annual report shall be forwarded to the Secretary by January 20 of each year, on forms provided by the Secretary.

(2) Any discharge or emission from a facility which poses a threat to public health and safety, a threat to the environment or the creation of a nuisance must be reported within 24 hours to the State of Vermont Department of Environmental Conservation, the local health officer, and the selectpersons of the affected municipalities. A written report shall be submitted to the parties to whom the event was reported within seven days of the discharge or emission. The report shall identify the discharge or emission that occurred, the type, quantity, and quality of waste, and the actions taken to correct the problem.

(j) Food residuals and food processing residuals.

(1) Food residuals or food processing residuals shall be managed as follows:

(A) The food residuals shall be incorporated into the compost mix the same day the residuals arrive at the facility; or

(B) The residuals shall be in a sealed container, or immediately covered with finished compost or untreated wood and incorporated into the compost mix within 72 hours of the residuals arrival at the facility.

(2) Inspection of compost feedstocks. The compost feedstocks shall be inspected upon delivery to the facility and all non-compostable material removed either manually or mechanically. All non-compostable materials shall be disposed of at a certified solid waste facility.

(3) Screening of finished compost. The finished compost shall be screened to remove any remaining contaminants. All contaminant materials shall be disposed of at a certified solid waste facility.

(4) Treatment of food residuals. The composting of food or food processing residuals shall use one of the following treatment methods:

(A) If using a turned windrow system, the temperature must be maintained at 131 degrees Fahrenheit (55 degrees Celsius), or

higher, for at least 13 of 16 consecutive days, during which time the materials must be turned not fewer than five times to ensure that all materials reach this temperature.

(B) If using an actively or passively aerated static pile or the within vessel method (including bins), the temperature must be maintained at 131 degrees Fahrenheit (55 degrees Celsius), or higher, for at least three consecutive days.

(k) Leaf and yard residual composting facilities. Facilities that compost leaf and yard residuals shall also meet the following requirements:

(1) Pile Construction. Incoming leaf and yard residuals, and untreated wood must, within one week of delivery to the site, be formed into windrow piles no more than ten feet high by 15 to 20 feet wide at the base, or other configuration that provides for the proper conditions under which aerobic composting will occur. Windrows must run with the slope of the land such that runoff is not trapped by the windrows. Leaf and yard residual compost facilities may use horse manure within the composting process.

(2) Grass. Grass clippings must be incorporated, and thoroughly mixed into established windrows at a ratio of no more than one part grass to three parts leaf or wood residuals by volume within 24 hours of receipt at the facility. The composting facility must not accept grass clippings unless there is a sufficient volume of high carbon feed stocks available to meet this ratio.

(3) Windrow turning. The windrow must be turned at least four times per year. There must be no more than six months between any two turnings.

(4) Distribution. Compost must be distributed for use within one year of completion of the compost process, and within three years of receipt of the raw materials for composting.

(5) Fire control. The operator must develop and implement a plan to prevent spontaneous combustion in residual and compost piles at the site.

(l) Closure. The facility must be closed in a manner that minimizes the need for further maintenance; and so that the closed facility will not pollute any waters of the state, contaminate the ambient air, constitute a hazard to health or welfare, or create a nuisance. At a minimum, the applicant must remove all compost, wastes, feedstocks, secondary materials, and residue, including compost screenings, from the facility; and broom clean the facility structures and equipment.

(m) Facility operator training. The facility operator shall complete an approved operator training course within 6 months of filing the registration with the Secretary.

Note: A list of approved operator training requirements can be found at the Agency website.

(n) If the Secretary determines that the proposed facility size, processes, activities, or the nature of the composting activities require additional review and oversight not provided by this section, the Secretary may require that the applicant apply for a certification pursuant to § 6-1105.

§ 6-1105. Medium scale categorical composting facility certifications

(a) Applicability. This section applies to composting facilities that:

(1) have a compost management area of less than 10 acres in size; and

(2) compost the following materials:

(A) more than 10,000 cubic yards per year of leaf and yard waste; or

(B) compost 40,000 or less cubic yards per year of total organics any of the following feedstocks:

(i) not more than 5,000 cubic yards per year are food residuals or food processing residuals.

(ii) not more than 10 tons of animal, animal offal, and butcher waste per month.

(b) Siting Limitations. A composting facility shall not receive a certification under this section unless the facility is sited in accordance with the siting standards and prohibited areas under § 6-1107.

(c) Application Requirements. In order to qualify for a medium scale compost certification, the applicant shall submit an application which provides the following information:

(1) Site plan map. A site plan map at a scale of 1:100 or greater that contains: the property boundaries; structures; access roads; truck loading and unloading areas; wash area for totes; location of barriers to unauthorized entry; water supplies; feedstock storage areas; compost management area ; areas for the management and treatment of leachate and run-off; and water quality sampling points, if applicable.

(2) Topographic map. A United States Geological Survey topographic map with a scale of 1:24,000 or a color printout from the Agency internet mapping program that contains all available layers that show siting criteria and prohibited areas established under § 6-1107.

(3) Soils map. The application shall include a copy of a Natural Resource Conservation Service soils map for the area.

(4) Management plan detailing, at a minimum:

(A) expected volume and type of incoming materials;

(B) methods for achieving odor control;

(C) methods for achieving noise control;

(D) methods for controlling vectors, dusts, and litter;

(E) methods for achieving the liquid management standards at § 6-1108;

(F) methods to inspect loads and remove non-compostable materials or contaminants from the incoming feedstocks;

(G) a description of the composting process and how that process will meet the standards established under § 6-1110(c);

(H) fire prevention and control measures;

(I) list of equipment to be used;

(J) hours of operation;

(K) access control;

(L) product distribution; and,

(M) a sampling plan for metals concentrations as required by subsection (e)(8) of this section and stability and maturity testing of the finished compost.

(d) Reporting and recordkeeping requirements. The facility shall meet the reporting and recordkeeping requirements of § 6-1109.

(e) Operational requirements.

(1) The facility shall operate in accordance with its approved facility management plan and the requirements of this section.

(2) The facility shall be managed to properly compost materials, destroy pathogens, not create a threat to public health or the environment, and not create objectionable odors, noise, vectors or other nuisance conditions.

(3) Unless an alternative is approved as a part of the facility management plan the initial compost mix shall result in:

(A) A carbon to nitrogen (C:N) ratio of 20:1 to 40:1.

(B) A bulk density of less than 1200 pounds per cubic yard.

(C) A pH in the range of six to eight S.U.

(4) A facility that uses food residuals or food processing residuals as a compost feedstock shall comply with the requirements of § 6-1110.

(5) A facility that uses animal mortalities, offal, or butchering waste as a compost feedstock shall comply with the requirements of § 6-1112.

(6) A facility that uses leaf and yard residuals as a compost feedstock shall comply with the requirements of subsection (f) of this section.

(7) Compost Stability. Finished products marketed or distributed for sale shall be tested for two of the following methods listed below:

(A) Temperature decline to near ambient conditions (less than 100° F) when not the result of improper management of the composting process. Composting records shall indicate appropriate schedules for turning, monitoring of moisture within the required range, and an appropriate mix of composting feedstocks.

(B) Reheat potential using the Dewar Compost Self-Heating Flask. The results must indicate a stable product. Temperature rise above ambient must not exceed 20°C for stable compost.

(C) Specific oxygen uptake. To be classified as stable the product must have a specific oxygen uptake rate of less than 0.1 milligrams per gram of dry solids per hour.

(D) Solvita™ Compost Maturity Test. To be classified as stable the product must exhibit color equal or greater than six.

(E) Carbon dioxide evolution or Respiration Rate. Respirometry rate that meets or is equivalent to standards established by the US Composting Council Seal of Testing Assurance to be classified as stable.

(F) Reduction in organic matter (ROM) of at least 60 %

(G) Plant tests conducted in a manner approved by the Agency.

(8) If the compost is to be marketed or distributed for sale, the final product shall not exceed the following metals concentrations.

Parameter	Maximum Total Concentration (mg/kg dry wt)
Arsenic	15
Cadmium	21
Chromium	1200
Copper	1500
Lead	300
Mercury	10
Nickel	420
Zinc	2800

(9) If the compost is to be marketed or distributed for sale, the final product shall not exceed the following concentrations. One test for these parameters annually.

Parameter	Maximum Total Concentration
Fecal Coliform	1000 MPN/g total solids (dry weight)
Salmonella	3MPN/4g total solids (dry weight)

(f) Leaf and yard residual facilities. Facilities that solely compost leaf and yard residuals shall also meet the following requirements:

(1) Pile Construction. Incoming leaf and yard residuals and untreated wood must, within one week of delivery to the site, be formed into windrow piles no more than ten feet high by 15 to 20 feet wide at the base, or other configuration that provides for the proper conditions under which aerobic composting will occur. Windrows must run with the slope of the land such that runoff is not trapped by the windrows. Leaf and yard residual compost facilities may use horse manure within the composting process.

(2) Grass. Grass clippings must be incorporated, and thoroughly mixed into established windrows at a ratio of no more than one part grass to three parts leaf or untreated wood by volume within 24 hours of receipt at the facility. The composting facility must not accept grass clippings unless there is a sufficient volume of high carbon feed stocks available to meet this ratio.

(3) Windrow turning. The windrow must be turned at least four times per year. There must be no more than six months between any two turnings.

(4) Distribution. Compost must be distributed for use within one year of completion of the compost process, and within three years of receipt of the raw materials for composting.

(5) Fire control. The operator must develop and implement a plan to prevent spontaneous combustion in residual and compost piles at the site.

(g) Closure. The facility must be closed in a manner that minimizes the need for further maintenance; and so that the closed facility will not pollute any waters, contaminate the ambient air, constitute a hazard to health or welfare, or create a nuisance. At a minimum, the applicant must remove all compost, wastes, feedstocks, secondary materials, and residue, including compost screenings, from the facility; and broom clean the facility structures and equipment.

(h) Facility operator training. A minimum of one person at the facility on any operating day shall have completed an approved operator training course within six months of the issuance of the certification. A list of approved operator training requirements can be found at the Agency website.

(i) Acceptable under solid waste implementation plan. Prior to submitting an application, the applicant shall obtain a letter from the local solid waste planning entity that the facility is acceptable under its plan.

(j)(1) Notice. On or before the date of filing any certification application or an amendment thereto, the applicant shall send notice and a copy of the application to the municipality where the facility is proposed to be or is located and any adjacent Vermont municipality if the facility is located on a boundary. The applicant shall also notify all adjoining residences and landowners. The notice shall inform interested persons that they have 14 days to comment on the application and that comments may be sent to the Department of Environmental Conservation, Solid Waste Management Program. The applicant shall furnish the secretary the names of those noticed of the application.

(2) Public informational meeting. Upon a written request from a party identified in §6-305(a)(9), or upon the Secretary's own motion, the Secretary shall hold a public informational meeting on the application. The request shall be made within 14 days of the Secretary's receipt of the application. Upon determining to hold a public informational meeting the Secretary shall:

(A) schedule and convene a public informational meeting;

(B) extend the public comment period for a period not less than three days and not more than seven days from the date of the public informational meeting; and,

(C) require that the applicant provide notice of the meeting to all persons notified under subsection (j)(1) of this section.

(k) If the Secretary determines that the proposed facility size, processes, activities, or the nature of the composting activities require additional review and oversight not

provided by this section, the Secretary may require that the person apply for a certification pursuant to § 6-1106.

§ 6-1106. Large composting facilities

(a) Applicability. This section applies to composting facilities that do not quality for medium categorical composting certification under § 6-1105.

(b) Siting Limitations. A composting facility shall not receive a certification under this section unless the facility is sited in accordance with the siting standards and prohibited areas under § 6-1107.

(c) Application Requirements. In order to qualify for a large scale compost certification, the applicant shall submit an application which provides the following information:

(1) Site plan map. A site plan map at a scale of 1:100 or greater that contains: the property boundaries; structures; access roads; truck loading/unloading areas; wash areas for totes; location of barriers to unauthorized entry; water supplies; feedstock storage areas; compost management area; areas for the management and treatment of leachate and run-off; and water quality sampling points, if applicable established by § 6-1107.

(2) Topographic map. A United States Geological Survey topographic map with a scale of 1:24,000 or a color printout from the Agency internet mapping program that contains all available layers that show siting features and prohibited areas.

(3) Soils map. The application shall include a copy of a Natural Resource Conservation Service soils map for the area.

(4) Management plan detailing, at a minimum:

(A) expected volume and type of incoming materials;

(B) methods for achieving odor control;

(C) methods for achieving noise control;

(D) methods for controlling vectors, dusts, and litter;

(E) methods for achieving the liquid management standards at § 6-1108;

(F) methods to inspect loads and properly screen for potential contaminants in incoming feedstocks;

(G) a description of the composting process and how that process will meet the standards established under § 6-1110(c);

(H) fire prevention and control measures;

(I) list of equipment to be used;

(J) hours of operation;

(K) access control;

(L) product distribution; and,

(M) plan for metals concentrations as required in (e)(7) of this section and stability and maturity testing of the final compost product.

(d) Reporting and recordkeeping requirements. The facility shall meet the reporting and recordkeeping requirements of § 6-1109.

(e) Operational requirements.

(1) The facility shall operate in accordance with its approved facility management plan and the requirements of this section.

(2) The facility shall be managed to properly compost materials, destroy pathogens, not create a threat to public health or the environment, and not create objectionable odors, noise, vectors or other nuisance conditions.

(3) Unless an alternative is approved as a part of the facility management place the initial compost mix shall result in:

(A) A carbon to nitrogen (C:N) ratio of 20:1 to 40:1.

(B) A bulk density of less than 1200 pounds per cubic yard.

(C) A pH in the range of six to eight S.U.

(4) A facility that uses food residuals or food processing residuals as a compost feedstock shall comply with the requirements of § 6-1110.

(5) A facility that uses animal mortalities, offal, or butchering waste as a compost feedstock shall comply with the requirements of § 6-1112.

(6) Compost Stability. Finished products marketed or distributed for sale shall be tested for two of the following methods listed below:

(A) Temperature decline to near ambient conditions (less than 100° F) when not the result of improper management of the composting process. Composting records shall indicate appropriate schedules

for turning, monitoring of moisture within the required range, and an appropriate mix of composting feedstocks.

(B) Reheat potential using the Dewar Compost Self-Heating Flask. The results must indicate a stable product. Temperature rise above ambient must not exceed 20°C for stable compost.

(C) Specific oxygen uptake. To be classified as stable the product must have a specific oxygen uptake rate of less than 0.1 milligrams per gram of dry solids per hour.

(D) Solvita™ Compost Maturity Test. To be classified as stable the product must exhibit color equal or greater than six.

(E) Carbon dioxide evolution or Respiration Rate. Respirometry rate that meets or is equivalent to standards established by the US Composting Council Seal of Testing Assurance to be classified as stable.

(F) Reduction in organic matter (ROM) of at least 60 %

(G) Plant tests conducted in a manner approved by the Agency.

(7) If the compost is to be marketed or distributed for sale, the final product shall not exceed the following metals concentrations:

Parameter	**Maximum Total Concentration (mg/kg dry wt)**
Arsenic	15
Cadmium	21
Chromium	1200
Copper	1500
Lead	300
Mercury	10
Nickel	420
Zinc	2800

(9) If the compost is to be marketed or distributed for sale, the final product shall not exceed the following concentrations. One test for these parameters annually.

Parameter	Maximum Total Concentration
Fecal Coliform	1000 MPN/g total solids (dry weight)
Salmonella	3MPN/4g total solids (dry weight)

(f) Applications for certification under this section shall be treated as solid waste facility certifications and shall address the following:

(1) the requirements of §§ 6-304(e)(10) (financial responsibility); (11) (closure plan); (13) (planning requirements of 10 V.S.A. § 6605(c)); and (14) (background disclosure requirements of 10 V.S.A. § 6615f);

(2) submit a plan for effective public notice as required by § 6-304(h); and

(3) be subject to the application review requirements of §§ 6-305 and 307.

(g) Facility operator training. A minimum of one person at the facility shall complete an approved operator training course within six months of the issuance of the certification. A list of approved operator training requirements can be found at the Agency website.

§ 6-1107. Siting and prohibited areas for medium and large compost facilities.

(a) Siting criteria. A composting operation shall not construct the compost management area and area used to treat or infiltrate runoff to groundwater within the following siting minimum distances. The following siting distances shall not affect another property owner's ability to conduct activities not regulated by these rules:

(1) minimum of 300 feet from the nearest public or private water supplies not owned by the applicant;

(2) minimum of 3 feet from seasonal high water table and bedrock;

(3) minimum of 100 feet from surface water;

(4) minimum of 100 feet from all property lines and edge of public roads; and

(5) minimum of 300 feet from all residences not owned by the applicant and from all public buildings.

(6) for compost facilities, a minimum of 10,000 feet of a runway used by turbojet aircraft, or 5,000 feet of a runway used only by piston-type aircraft.

(b) Prohibited areas. A composting operation registered shall not construct the compost management area and any area used to treat or infiltrate groundwater in accordance within the following prohibited areas:

(1) The 100 year flood plain as shown on the National Flood Insurance Maps;

(2) A class I or class II wetland or its associated buffer zone unless a conditional use determination has been issued by the Secretary.

(3) A class III wetland. Unless authorized by the Secretary.

(4) Any location within a municipality where that municipality has prohibited composting as a part of its zoning bylaws.

(5) within 1000 feet of a residential housing unit located within an area that has a residential housing density of 3 units per acre or greater.

(6) within a designated downtown or village center, unless the municipality has expressly allowed composting in that area.

§ 6-1108. Liquids management standards for medium and large compost facilities.

(a) A compost facility shall divert all clean stormwater run-off from surrounding upgradient areas and prevent it from running onto the compost management area. This shall be accomplished through the use of berms, swales, grading, and other controls.

(b) The compost facility shall not have an unpermitted discharge of leachate or runoff to a surface water.

(c) All material that has not met the treatment standard defined in § 6-1110(d), excluding leaf and yard residuals and high carbon bulking agents, shall be located on an average slope of between two and five percent. The slope shall be maintained so that ponding in the compost management area will not occur. The area for this material shall be located on the following:

(1) an impervious pad; or

(2) improved native soils as approved by the Secretary; or

(3) a compacted gravel pad meeting a conductivity of 1x10-7 cm/sec as approved by the Secretary.

(d) Facilities are required to collect and treat all leachate from the active composting area in a lined pond, swale or lagoon. The leachate storage area shall meet the following construction standards:

(1) be single lined with a natural or synthetic liner that has a maximum permeability of 10^{-7} in a design approved by the Secretary;

(2) be constructed in accordance with Natural Resource Conservation Service standards and approved by the Secretary; or

(3) be a waste management lagoon constructed consistent with the Agency of Agriculture, Food, and Markets standards.

(e) Leachate storage areas shall, at all times, maintain a minimum of two feet of freeboard and be isolated from public access with fencing. Acceptable treatment options include the following:

(1) Collection and treatment at a permitted wastewater treatment facility;

(2) Collection and application to active composting piles in a manner approved by the Secretary;

(3) Treatment on site in a manner approved by the Secretary;

(f) Acceptable treatment for run-off collected from compost curing areas include:

(1) Collection and treatment at a permitted wastewater treatment facility;

(2) Collection and application to active composting piles in a manner approved by the Secretary, if used to wet compost that has achieved the treatment standards established in § 6-1110(d),

(3) Treatment on site in a manner approved by the Secretary;

(4) Collection and land application under a nutrient management plan prepared in accordance with Natural Resource Conservation Service Practice Standard 590 – Nutrient Management with the following restrictions:

(A) Application rate shall not exceed 25,000 gallons per acre per day.

(B) Liquid application shall not occur when the fields are saturated, frozen, or snow covered or when ponding occurs.

(C) The application shall not result in an offsite discharge or a discharge to surface water.

(g) The design, construction, and operation of the facility shall comply with the Vermont Groundwater Protection Rule and Strategy as may be amended.

(h) Testing of leachate and run-off may be required dependent on the approved feedstocks accepted at the facility.

§6-1109. Recordkeeping and reporting requirements for medium and large compost facilities.

(a) Recordkeeping requirements. The compost facility shall keep records for the following activities at the facility office available for review in a dry and secure location for five years. At a minimum, records on the following shall be retained: