



Colorado Association for Recycling
PO Box 11130
Denver, CO 80211-0130
Turning today's waste into tomorrow's resources.



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RMOC - Comments on Pending Colorado Department of Public Health and Environment (CDPHE) - Solid Waste - Composting Regulations

The Rocky Mountain Organics Council (RMOC) is a committee operating under the oversight and board management of the Colorado Association for Recycling. RMOC's mission is to promote "sustainable utilization of organic resources in the communities we serve. We focus on the production of quality organic products, developing markets for those products and educating our customers" in the proper use and application of those products.

RMOC membership consists of Class I, II, and III commercial composters, some agricultural composters positioned in Class IV and V under current regulations, governmental and regulatory personnel, composting equipment and compostable product manufacturers, and other composting advocates within the state of Colorado.

RMOC understands that CDPHE is in the process of regulatory changes to the Solid Waste Regulations, 6 CCR 1007-2 Section 14 related to Composting. RMOC has not seen any proposed regulatory changes, so thus cannot comment on any specific item, but in general desires to communicate to CDPHE the following comments:

- The regulatory oversight process related to composting facilities has become onerous and unduly burdensome to current permitted commercial composting operations as well as those seeking permits. This burden is both economically and operationally costly. Design and operational criteria, while necessary and valuable to the protection of public health and environment, should reflect the reality of the operation being permitted or operated. RMOC would like the regulations to emphasize or provide a process of interpretation and application of the regulations that incorporates logical considerations. Current interpretative processes too often reflect the personal bias or opinion of the reviewer. RMOC strongly suggests providing a forum for appeal or review that would be open and help temper individual opinion.
- RMOC strongly recommends that CDPHE consider the United States Composting Council's recently published Model Compost Permitting Regulations rules related to permitting of composting facilities. These model rules were developed by a nationwide review process that included regulatory and industry groups and peers. They can be found at <http://compostingcouncil.org/admin/wp-content/uploads/2013/02/US-Composting-Council-Model-Compost-Rule-Template-v1-1-4-15-13.pdf>.
- RMOC strongly encourages any effort within the regulations that works toward providing a consistency of regulations between all departments as well as a consistent interpretation and application of the regulations for all permitted composting operations, be they permitted under

CDPHE or the Colorado Department of Agriculture. Disproportionate regulatory requirements cause significant confusion within the marketplace and have considerable effect on costs associated with the production of quality compost and compost products.

- Class IV and V composting facility regulations should be better defined and enforced to provide consistency of operations and use for all compost operators with the end result to reduce abuses by a minority. One specific consistency would be to require that compost facilities regulated as agricultural production as CDPHE Class IV or regulated by CDA be limited to agricultural use only. Furthermore, the actual production of compost would follow the same guidelines and standards regardless of the oversight regulatory department.
- If possible, requirements by generators of compostable materials utilized as feedstocks or bulking agents should be required and accountable to meet minimum standards of source separation of contaminants. RMOC strongly recommends excluding persistent herbicides such as Aminopyralid and Clopyralid. Information related to them and the USCC position paper on them can be found under “Advocacy” at www.compostingcouncil.org.
- RMOC desires to be represented at future stakeholder meetings related to pending regulations pertaining to composting facilities.

Respectfully submitted on behalf of RMOC,

Bob Yost, Co-Chair
Bryce Isaacson, Co-Chair
Lisa Friend, Vice Chair