

Applicability of Rules Affecting Recycling Activities and Facilities

(Rule Log Nos. 2001-081-328-WS and 2001-082-330-WS)

- X Exempted by this rule package or underlying statute
 - X(na) Exempt (rule does not apply)
 - C Compliance required
 - A Alternative compliance (variance) available
 - NA Alternative compliance (variance) not available
- (shading indicates activities not affected by this rule package)

Type of Activity or Facility	Chapter 330	Chapter 332		Chapter 328					
	§330.4	§332.4	§§332.34 & 332.47	§328.3	§328.4			§328.5	
	Permit/Registration Required	General Requirements	Fire Plan	General Requirements	Limitations on Storage	10% & 5% Limits on Incidental Amounts of Nonrecyclables ¹	Alternative Compliance (variance)	Reporting & Record-keeping	Fire Plan
1. Community collection stations	X	X(na)	X(na)	X(na)	X(na)	X(na)	NA	X(na)	X(na)
2. Street sweepings/city-wide cleanups									
3. Placement of pre-construction fill material									
<u>Composting/Mulching Facilities</u>									
1. Exempt from authorization ²	X	C	X(na)³	X	C	C	A	C	C
2. Requiring notification	X	C	C⁴	X(na)	X(na)	X(na)	NA	X(na)	X(na)
3. Requiring registration									
4. Requiring permit									
<u>Recycling Facilities (non-putrescible)</u>									
1. Government owned or operated	X	X(na)	X(na)	C	X	X	A	X	X
2. Smelters & affiliates (2-part test)									
3. Community/scout/church/other (3-part test)									
4. Landfill affiliates	X	X(na)	X(na)	C	C	C	A	X	X
5. All other non-putrescible recyclers	X	X(na)	X(na)	C	C	C	A	C	C
<u>Permitted or Registered Transfer Facilities</u>	C	X(na)	X(na)	X(na)	X(na)	X(na)	NA	X(na)	X(na)

(1) 10% limit for incoming load; 5% cumulative limit for all materials received at site during six-month period.
 (2) Operations that compost only source-separated yard trimmings, clean wood material, vegetative material, paper, and manure [§332.3(d)(1)], and mulching operations [§332.3(d)(3)] are subject to §§328.4 and 328.5. Other operations listed in §332.3(d)(2) and (4)-(6) remain exempt from the requirements of Chapter 328.
 (3) Fire plan not required under Chapter 332.
 (4) Fire plan required for registered facilities differs from fire plan required for permitted facilities.