



Illinois  
Environmental  
Protection Agency

Bureau of Land  
1021 North Grand Avenue East  
Box 19276  
Springfield, IL 62794-9276

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**LPC-PA12**  
**INSTRUCTIONS FOR APPLICATION FOR PERMIT**  
**RELATING TO A LANDSCAPE WASTE COMPOST FACILITY**

**GENERAL INFORMATION**

This application form may only be used to apply for a landscape waste compost facility permit. For composting other waste, use form LPC-PA6.

The procedural and substantive requirements governing this application are set forth at 35 Illinois Administrative Code (IAC) Parts 831 and 832. The standards for landscape waste compost facilities are set forth at 35 IAC, Part 830. These instructions explain the information that must be submitted to meet the permitting requirements in those regulations. Read the regulations and the instructions carefully as you complete your permit application form.

The information submitted by the applicant on the application form and in supplemental plans and reports required as part of the application must provide the Illinois Environmental Protection Agency (“Illinois EPA”) with all the design and operating procedures necessary to insure that no violation of the Environmental Protection Act (“Act”) [415 ILCS 5], or regulations adopted thereunder, will result as a consequence of the development or operation of the landscape waste compost facility. The location (page number) of supplemental information must be identified on the application form.

All data and information should be typed or legibly printed in black ink.

The letters “NA” may be used, but only if requested information is not applicable; justification must be included that explains why the requested information is not necessary.

An existing landscape waste composting facility owner/operator renewing the development/operating permit may reference any information unchanged from that contained in its most recent permit application of an approved permit or previous application of an approved permit. However, please note that additional development and operational requirements may have been added to this application form or changes to the laws or regulations may have occurred which may not have been addressed in previous permit applications. Any revised development and operational procedures must be presented in an application for renewal of the facility permit.

You must demonstrate in your application that public notification has been performed in accordance with Section 13. The instructions under Section 13 are broken up into two sections. Section 13A addresses public notice requirements in Section 22.26 of the Act. Section 22.26 of the Act requires notification of certain people about the proposed development of a landscape waste compost facility. These notification requirements apply to applicants proposing a new landscape waste compost facility or expansion of an existing facility. The instructions under Section 13.B address the limited public notice that must be provided for any landscape waste compost permit application to Illinois EPA.

IL 532-1831

LPC 333 Instructions Rev. 5/2020

You must submit the original and two copies of your application, including all supplemental data and information to:

Illinois Environmental Protection Agency  
Bureau of Land, Permit Section -- #33  
P.O. Box 19276  
1021 North Grand Avenue East  
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The information required in a permit application is set forth in 35 IAC Parts 830 through 832. These instructions and application form are to be used to ensure that the necessary information is provided. In accordance with 35 IAC 830.211, you must keep a copy of your application and any relevant correspondence sent to the Illinois EPA.

The definitions in the Act and 35 IAC 830.102 shall apply to words and terms used in these instructions and application form. You may wish to consult with an environmental professional to assist in preparation of the application. The application may require a certification by a professional engineer licensed in the State of Illinois.

#### **PREPARATION OF AN APPLICATION:**

1. Site Identification

- A. Permit applications for new facilities must include the proposed facility name. Please note that only 30 spaces are available for the facility name. You must also provide the latitude and longitude if available, the legal description of the site (property or parcel), the legal description of the facility boundary, if different than the property boundary and the physical location including a street address, city or county and zip code. Upon receipt of an application for a new compost facility, the Illinois EPA will assign an inventory identification number to the facility, if one has not been previously assigned to that site.
- B. For existing permitted landscape waste compost facilities, the site name and inventory identification number previously assigned by the Illinois EPA shall be used in correspondence with the Illinois EPA regarding the facility.
- C. Data supplied by any registered land surveyor contained in the permit application must bear the signature and seal of that registered land surveyor. References are to be included when such data are obtained from published sources.

2. Facility Description

Check the description that applies most accurately to the facility. Provide all existing Illinois EPA permit numbers for the facility.

3. Scope of Permit Requested

Provide a brief narrative description of the composting operation covered by your application.

4. Applicant Identification

Indicate, by checking YES or NO, if the property owner and facility operator are the same.

- A. Provide the following:
  - 1. Applicant name, title, street address and post office box if applicable, city, state and telephone number.
  - 2. Property owner (if different from the operator) name, title, street address, post office box if applicable, city, state and telephone number.
- B. Indicate to whom the Illinois EPA should mail correspondence. If other than the owner or operator, provide the name and address.
- C. Provide a contact name, address and telephone number which can be used in the event that any additional information or clarification is necessary during Illinois EPA review of the application.

5. Proof Of Land Ownership And Certification

- A. You must provide a certificate of ownership of the land on which the facility is located or a copy of any lease. The lease must clearly specify that the property owner authorizes the construction of a landscape waste compost facility on the leased premises. The operator and property owner shall certify that the Illinois EPA will be notified 30 days prior to any changes in property ownership or conditions in the lease affecting the permit area.
- B. If the facility will be located on leased property, you must indicate on the application form the duration of the lease.
- C. Check all descriptions indicating by whom the site is to be operated. If you check "Other", specify the type of entity.

6. You must provide a site location map on either the most recent United States Geological Survey ("USGS") 7 ½ minute series (topographic) map of the quadrangle within which the site is located or such other map of equivalent detail. The site location map must show the following information within ½ mile of the boundary of the facility:

- A. The facility and all adjacent property, extending at least ½ mile beyond the boundary of the facility;
- B. The prevailing wind direction;
- C. All rivers designated for protection under the Wild And Scenic Rivers Act (16 U.S.C. 127 et seq.);
- D. The limits of all 10-year floodplains;
- E. All natural areas designated as a Dedicated Illinois Nature Preserve pursuant to the Illinois Natural Areas Preservation Act [525 ILCS 30/1 et seq.];

- F. All historic and archaeological sites designated by the National Historic Preservation Act (16 U.S.C. 470 et seq.) and the Illinois Historic Preservation Act [20 ILCS 3410/1 et seq.];
- G. All areas identified as a critical habitat pursuant to the Endangered Species Act (16 U.S.C. 1531 et seq.) and the Illinois Endangered Species Protection Act [520 ILCS 10/1 et seq.];
- H. All main service corridors, transportation routes and access roads to the facility;
- I. All residences and areas in which people congregate within ½ mile of the facility boundaries;
- J. The locations of all on-site potable water supply wells and all potable water supply wells within 1/8 mile of the boundaries of the facility; and
- K. The types of land use for the properties immediately adjacent to the facility (e.g., residential, commercial, industrial, agricultural ). The map must include a legend that describes zoning classifications and identifies the location and function of all buildings within ½ mile of the facility.

7. Site Plan Map

You must provide maps or plan sheets showing the location of the facility, on a scale no smaller than one inch equals 200 feet, containing five foot contour intervals where the relief exceeds 20 feet and two foot contour intervals where the relief is 20 feet or less, and referenced to a USGS datum. The following information must be provided:

- A. The boundaries of the facility;
- B. The boundaries of the composting area(s);
- C. The property boundaries, if different than the facility boundary;
- D. The location of all buildings on the property and any other pertinent location data with respect to the operation of the proposed compost facility such as utilities, water supply, fencing, access roads, paved areas and signs;
- E. The location of all staging and stockpiling areas for landscape waste, end-product compost, windrows, bulking agents or additives; and
- F. The drainage patterns of the facility and surrounding areas. At a minimum, the direction of both on-site and off-site drainage, as well as the location of any ditches, swales, berms or other structures that exist or will be constructed to control run-on, run-off and leachate generated by the facility's operation must be included.

8. Narrative Description Of The Facility

You must provide a written description of the facility including the design and operating procedures that will be used at the facility to comply with the requirements of 35 IAC, Parts 830 and 831. In the space provided on the application form, identify the page number or location within the application where this information can be found. Such description must include, but not be limited to, the following information:

- A. Stormwater runoff controls and landscape waste leachate controls to prevent ponding within the composting area and any discharge from the facility that would violate water quality standards;
- B. An estimate of the maximum annual volume and peak daily volume of landscape waste the facility will be able to process;
- C. Proof that the facility includes a setback of at least 200 feet from the nearest potable water supply well;
- D. Proof that the facility is located outside the boundary of the 10-year floodplain or the site will be flood proofed;
- E. Proof that the facility is located so as to minimize incompatibility with the character of the surrounding area, including at least a 660 foot setback from the nearest residence (other than a residence located on the same property as the facility), from facilities that primarily serve to house or treat people that are immunocompromised or immunosuppressed, such as cancer or AIDS patients, people with asthma, cystic fibrosis or bioaerosol allergies, or children under the age of one year; from Primary and Secondary schools and adjacent areas that the school uses for recreation; and any facility for child care licensed under Section 3 of the Child Care Act of 1969 [225 ILCS 10/3]; from preschools and adjacent areas that the facility or preschool uses for recreation.
- F. Proof that the design of the facility will prevent any compost material from being placed within 5 feet of the water table, will adequately control runoff from the site and will collect and manage any leachate that is generated on the site. This shall include, but not be limited to:
  1. A demonstration of compliance with the water table distance requirement by either:
    - a. Using published water table maps or other published documentation to establish the location of the water table in relation to site elevation; or
    - b. Actual measuring of the water table elevation at least once per month for three consecutive months.
- G. Proof that all authorizations, permits and approvals required from each Bureau of the Illinois EPA have been applied for or obtained. For example, a permit from the Bureau of Water may be required for a discharge of wastewater from the site or a permit from the Bureau of Air may be required for an air pollution control device.

- H. A narrative description demonstrating that:
  - a. The staging area is adequate in size and design to facilitate the unloading of landscape waste from delivery vehicles and the unobstructed maneuvering of vehicles and other equipment.
  - b. The composting surface can support all structures and equipment.
  - c. The slope and composition of the composting surface is designed and constructed so that:
    - i. Runon is diverted around the composting area; and
    - ii. Runoff from the facility resulting from precipitation less than or equal to the 10-year, 24-hour precipitation event will be controlled so as not to cause or contribute to a violation of the Act.
  - d. There will be accessible clear space between windrows or other piles, suitable for housekeeping operations, visual inspection of piling areas and fire fighting operations.
  - e. The composting areas are:
    - i. Located on relatively impermeable soils as demonstrated by actual measurements of the permeability of one foot of soil within the top 5 ft. of soil;
    - ii. Located on a base with resistance to saturated flow equivalent to the resistance of relatively impermeable soil; or
    - iii. Subject to an early detection and groundwater monitoring program (see item H. below for related design requirements).
  - f. An operating plan satisfying the requirements set forth in 35 IAC 830.206;
- I. An early detection or groundwater monitoring system design, in accordance with 35 IAC 830, Appendix A, if an early detection and groundwater monitoring program is required pursuant to 35 IAC 830.205(b)(1)(A)(iii) or 830.205(b)(2)(A)(iii);
- J. A salvaging plan if applicable for any intended recovery of landscape waste such as firewood for use in home fireplaces or wood chips for use in landscaping.
- K. A contingency plan, satisfying the requirements set forth in 35 IAC 830.212;
- L. A load checking plan for detecting non-landscape waste and preventing its acceptance at the facility and for controlling contamination in the material accepted.
- M. Specification of the operating hours of the facility;
- N. The types of landscape waste that are proposed to be received by the facility;

- O. Descriptions of the storage areas (including their capacities) that will be used to stage the waste before composting, to store bulking agent(s) or additive(s) and to store the end-product compost;
- P. Description of personnel training procedures, satisfying the requirements of 35 IAC 830.210;
- Q. A compost sampling and testing program following the procedures in Appendix B, Tables A, B, and C of 35 IAC, Part 830 or propose an alternative method or methods to demonstrate compliance with the standards of 35 IAC 830.503.

9. Record keeping

You must identify the records which will be maintained in accordance with the requirements of 35 IAC 830.211(b) and (c) and the location where operational records, monitoring records, a copy of the facility permit and plans (operating, contingency and closure plans) will be kept so as to be available during inspection of the facility.

10. Closure Plan

You must provide a written closure plan which contains a description of methods for compliance with all closure requirements in 35 IAC 830.202(l) and 830.213. For permit renewal applications, a new itemized cost estimate for premature closure and closure of the facility during the next permit term, must be included pursuant to 35 IAC 831.116(c).

11. Financial Assurance

You must provide methods to ensure financial assurance satisfying the requirements of 35 IAC 830, Subpart F. For existing operations the financial assurance mechanism chosen covering the cost estimate must be provided. For new facilities choosing a cash reserve financial assurance mechanism, such account must be fully funded within one year of the initial receipt of waste.

12. Reporting

You must demonstrate that operating records will be maintained as necessary to provide the Illinois EPA an estimate of the amount of landscape waste received, the amount of compost produced and its disposition in accordance with 35 IAC 830.202(k). You must have procedures to include this information in an annual written report and submit the report by April 1<sup>st</sup> each year. Certification of compliance with financial assurance requirements of 35 IAC 830, Subpart F must also be provided in the annual report.

13. Public Notification

A. Applications for new facilities or expansion of an existing facility must be accompanied by evidence that public notification using Form LPC-PA16 or its equivalent was provided as follows:

- 1. To all members of the general assembly from the legislative district in which the site is proposed to be located, municipal clerks of any municipality within three

miles of the site, the chairman of the county board and the State's attorney of the county in which the proposed facility is to be located.

2. Owners of all real property within 250 feet in each direction of the lot line of the subject property, excluding all public roads, streets, alleys and other public ways to a maximum of 400 feet, said owners being such persons or entities which appear from authentic tax records of the County in which such facility is to be located.
3. Published in the legal notice section of a newspaper of general circulation within the city or county in which the facility is proposed to be located, once a week for three consecutive weeks. The newspaper notification must contain a description of the type of facility being proposed, the location of the proposed facility, the name of the person or corporation proposing the facility with a contact person and telephone number and instructions to direct comments to the Illinois EPA in writing to the address below or call the Permit Section at 217/524-3300, within 21 days of the date of last publication. The notification should not be published more than three months before filing the application and should commence no later than the filing date. Copies of the newspaper notification may accompany the application or shall be sent to the Illinois EPA within 30 days of filing the application.

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4. The "Notice of Application for Permit to Manage Waste (LPC-PA16)" must be completed and mailed, not more than three days before the application is filed with Illinois EPA.
  5. The application must include a copy of the public notification which was sent and a list of those persons to whom it was sent, or copies of the completed notifications. Copies of mailing receipts must be provided.
- B. For application for renewal of permit or other modifications not involving expansion of the footprint of the facility, only the public notification in item 13.A(1) above, is required. Form LPC-PA16 must be completed and mailed not more than three days before the application is filed with Illinois EPA and copies of the notifications or a list of those persons to whom it was sent and copies of mailing receipts must be provided in the application.

14. Required Signatures and Certifications

- A. The company or individual that owns or operates the facility must be identified as the owner or operator. The permit application must be signed by the operator and the property owner, if different from the operator, or the duly authorized agent(s) of the operator or property owner, accompanied by a notarized oath or affidavit attesting to the



agent's authority to sign the application, if applicable pursuant to 35 IAC 831.105. The following persons are considered duly authorized agents of the operator and the property owner:

1. For corporations, a principal executive officer of at least the level of vice president;
2. For a sole proprietorship or partnership, the proprietor or a general partner, respectively;
3. For a municipality, state, federal or other public agency, the head of the agency or ranking public official.

Original signatures are required. Signature stamps or applications transmitted electronically or by facsimile are not acceptable.

- B. All applications must be prepared by, or under the supervision of, a professional engineer. The professional engineer shall affix the name of the engineer, date of preparation, registration number, his/her professional seal to all applications.
- C. The permit application must be signed by the person(s) responsible for preparation of the application.

In accordance with the Act, all information submitted as part of the application is available to the public except when specifically designated by the applicant to be treated confidentially as regarding a trade secret process in accordance with Section 7(a) of the Act.