

**PROPOSED AMENDED RULE 1133.1 CHIPPING AND GRINDING
ACTIVITIES**

- (a) Purpose
The purpose of this rule is to prevent inadvertent decomposition occurring during chipping and grinding activities, including stockpile operations.
- (b) Applicability
This rule applies to operators of chipping and grinding activities to produce materials other than active or finished compost, unless otherwise exempted under subdivision (f) of this rule. The requirements of Rule 403 – Fugitive Dust, also apply to these activities.
- (c) Definitions
For the purposes of this rule, the following definitions shall apply:
- (1) ACTIVE COMPOST is material that is in the process of being rapidly decomposed and is biologically unstable. Active compost is generating temperatures of at least 122 degrees Fahrenheit during decomposition. Active compost includes, but is not limited to, pathogen-reduced mulch.
- ~~(1)~~(2) AGRICULTURAL CHIPPING AND GRINDING is any chipping and grinding activity conducted at an agricultural site where organic waste material is generated on-site by the production and/or processing of farm products, and the chipped and ground organic waste material is used on-site.
- ~~(23) CALENDAR DAYS refer to any days of the year, excluding official federal and state holidays.~~
- ~~(3)~~ CHIPPING AND GRINDING is any activity that mechanically reduces the size of greenwaste, woodwaste, and/or foodwaste.
- ~~(4)~~ COMPOSTING is a process in which solid organic waste materials are decomposed in the presence of oxygen under controlled conditions through the action of bacteria and other microorganisms.
- (5) COMPOST OVERS are the oversized woody materials that do not decompose in a typical composting cycle and are screened out of finished product at the end of composting. Compost overs have been through the

pathogen reduction process outlined in Title 14, Section 17868.3 of the California Code of Regulations.

- (6) CURBSIDE GREENWASTE is greenwaste that is collected from receptacles designated for residential household greenwaste. Curbside greenwaste also includes screened curbside greenwaste containing only grass clippings, leaves, and/or twigs that is not considered non-curbside greenwaste as defined in paragraph (c)~~(113)~~.
- (7) FINISHED COMPOST is a humus-like material and/or compost overs that result from the controlled biological decomposition of organic waste materials and is biologically stable.
- (8) FOODWASTE is any food scraps collected from the food service industry, grocery stores, or residential food scrap collection. Foodwaste also includes ~~foodwaste~~ food scraps that ~~is~~ are chipped and ground. ~~Foodwaste mixed with greenwaste is considered foodwaste.~~
- (9) GREENWASTE is any organic waste material generated from gardening, agriculture, or landscaping activities including, but not limited to, grass clippings, leaves, tree and shrub trimmings, and plant remains. It includes curbside, non-curbside, and mixed greenwaste.
- (10) INADVERTENT DECOMPOSITION is decomposition of greenwaste and/or foodwaste associated with stockpiling greenwaste and/or foodwaste for an extended period of time, and is not considered part of normal chipping and grinding operations.
- (11) LANDCLEARING is an activity where trees and plants grown at the site are cut, then chipped or ground and removed from the site to clear the site.
- (12) MIXED GREENWASTE is curbside greenwaste that is mixed with non-curbside greenwaste.
- (13) NON-CURBSIDE GREENWASTE is any greenwaste that is not collected from receptacles designated for residential household greenwaste. ~~Curbside greenwaste or mixed greenwaste that is screened and contains only large woody materials (larger than 3 inches in any dimension) such as tree trimmings and branches, is also considered to be non-curbside greenwaste.~~
- (14) PALM CHIPPING AND GRINDING is any activity that mechanically reduces the size of palm trees waste.

- (15) PORTABLE CHIPPING AND GRINDING is chipping and grinding utilizing equipment with a manufacturer's rating of 170 brake horsepower or less.
- (16) RAINY DAY is any day with at least 0.05 inches of rain reported by the National Weather Service or a cooperative weather reporting station for the site closest to where the chipping and grinding activity occurs.
- (17) STOCKPILE is a supply of raw material tipped and stored prior to being utilized on-site or removed from the site. Raw materials before and after chipping and grinding are also included.
- (18) WET WEATHER CONDITIONS are weather conditions following a rainy day not to exceed 10 days.
- ~~(18)~~(19) WOODWASTE is lumber, and the woody material portion of mixed demolition wastes and mixed construction wastes. Woodwaste also includes large wood materials of curbside greenwaste or mixed greenwaste that is screened or unscreened, such as tree trimmings, branches, tree trunks, stumps, and limbs exceeding 2 inches in any dimension.

(d) Requirements

~~Effective July 1, 2003, the~~ The operator of a chipping and grinding activity shall comply with the following requirements:

- (1) ~~Remove foodwaste from the site or use foodwaste for on-site composting within 2 calendar days of receipt~~ Foodwaste shall not be taken at the facility, unless otherwise allowed by the Local Enforcement Agency to handle foodwaste.
- (2) Chip or grind, ~~or use~~ and utilize on-site, or remove curbside, ~~non-curbside, or mixed~~ greenwaste from the site within ~~3 calendar days~~ 48 hours of receipt, ~~unless otherwise allowed by the Local Enforcement Agency to hold materials for a longer period of time.~~
- ~~(3) — Chip or grind or remove non-curbside greenwaste from the site within 14 calendar days of receipt.~~
- ~~(4) — Chip or grind, or use on-site, or remove mixed greenwaste from the site within 7 calendar days of receipt.~~
- ~~(5)~~(3) ~~Remove chipped or ground curbside greenwaste from the site or use chipped or ground curbside greenwaste on-site within 3 calendar days of being chipped or ground~~ Maintain all the operational records for the prior

five years of operation, with the most recent two years retained at the facility, which shall be immediately available upon request by the Executive Officer. The remaining three years of records shall be made available to the Executive Officer within one week of request.

~~(6)~~(4) Maintain the following records on-site for two years:

- (A) A copy of the facility's AQMD registration and annual updates submitted in compliance with Rule 1133; ~~and,~~
- (B) Records of date, type, and amount of greenwaste ~~and/or foodwaste~~ received; ~~and,~~
- (C) Records of date, type, amount of greenwaste ~~and/or foodwaste~~ removed from the site, and location where they are transferred to;:
- (D) Records of dates of rainy days and wet weather conditions and description of specific conditions that limited normal operations;:
- (E) Records of temperature or moisture content measurements; ~~and~~
- (F) Records of dates and amount of curbside greenwaste chipped and ground.

~~(7)~~(5) The time requirements specified in paragraphs ~~(d)(1), (d)(2), (d)(3), (d)(4), and (d)(5)~~ may be extended by the number of rainy days and wet weather conditions that impede normal chipping and grinding operations provided that records are maintained in accordance with subparagraph (d)(~~6~~)(D).

(e) Moisture Content Measurement

Moisture content will be determined by collecting at least 10 samples of chipped and ground greenwaste from various locations of the pile at a depth of at least 12 inches below pile surface. The samples shall then be mixed thoroughly and analyzed for moisture content by ASTM method D4442 (December 2007), ASTM method D4444 (May 2008) or ASTM method E871-82 (December 2006).

(f) Exemptions

- (1) Chipping and grinding activities of greenwaste derived from the site and ~~used~~-utilized on-site shall be exempt from the requirements of paragraphs (d)(2), (d)(3), ~~and (d)(4), (d)(5), and (d)(6),~~ provided less than 1,000 cubic yards of materials are either sold or given away.
- (2) Portable chipping and grinding, agricultural chipping and grinding, land clearing chipping and grinding, woodwaste chipping and grinding, and

palm chipping and grinding activities shall be exempt from the requirements of paragraphs (d)(2), (d)(3), and (d)(4), ~~(d)(5), and (d)(6)~~.

- (3) Chipped and ground curbside greenwaste shall be exempt from the requirements of paragraph (d)(~~5~~2) provided that the moisture content is less than 30%, measured in accordance with subdivision (e) and the temperature or moisture content measurements are maintained on-site in accordance with subparagraph (d)(~~6~~4)(E).

- (4) A biomass power generation facility or a facility processing material as a biomass fuel for a biomass power generation facility shall be exempt from the requirements of paragraph (d)(2) provided that the material temperature is maintained at below 122 degrees Fahrenheit or the moisture content is less than 30%, measured in accordance with subdivision (e) and the temperature or moisture content measurements are maintained on-site in accordance with subparagraph (d)(4)(E). This exemption shall not apply to material processed for purposes other than biomass fuel.

- (5) The operator of a landfill or biomass power generation facility shall be exempt from the requirements of paragraph (d)(4), provided that the operator does not perform chipping and grinding of greenwaste on-site.