STATE OF DELAWARE
DEPARTMENT OF NATURAL RESOURCES
AND ENVIRONMENTAL CONTROL
DIVISION OF WASTE AND HAZARDOUS SUBSTANCES
SOLID AND HAZARDOUS WASTE MANAGEMENT SECTION

89 KINGS HIGHWAY
DOVER, DELAWARE 19901

TELEPHONE: (302) 739-9403
FAX: (302) 739-5060

May 5, 2014

Mr. Ken Horn
Peninsula Compost Company, LLC
612 Christiana Avenue
Wilmington, DE 19801

Subject: Modifications to Beneficial Use Determination #29
Reference: Peninsula BUD #29, File Code: 03.A

Dear Mr. Horn:

Enclosed is Beneficial Use Determination ("BUD") #29/092614E from the Solid and Hazardous Waste Management Section ("SHWMS"). The BUD approves Peninsula Compost Company, LLC ("Peninsula") to accept and process yard waste, wood waste, food waste, hatchery waste, and animal bedding to produce and market quality compost products at 601 and 612 Christiana Avenue in Wilmington, Delaware. This BUD reflects modifications including, but not limited to, handling and storage of waste, sampling and analytical requirements, reporting requirements, and storage of finished compost. This BUD will expire on September 26, 2014.

If you have any questions concerning this BUD, please contact Mindy Anthony at (302) 739-9403.

Sincerely,

Nancy C. Marker

Nancy C. Marker
Environmental Program Administrator
Solid and Hazardous Waste Management Section

Enclosure

NCM:MBA:tcg
Peninsula Buds.doc

BENEFICIAL USE DETERMINATION #29/092614E

Effective Date:	May 5, 2014
Original BUD Issue Date:	August 25, 2008
Modified:	March 6, 2014
Expiration Date:	September 26, 2014
Facility Name:	Peninsula Compost Company, LLC
Mailing Address:	612 Christiana Avenue Wilmington, DE 19801
Alternate Mailing Address:	The Peninsula Compost Group, LLC 50 Oliver Street, Unit 209B North Easton, MA 02356
Contact Person:	Ken Horn, Facility Operations Manager
Phone Number:	(856) 340-1194
Alternate Contact Person:	Waylon Pleasanton, Compliance Officer
Phone Number:	(302) 670-8144
Location of Approved Activity:	Wilmington Organic Recycling Center 601 and 612 Christiana Avenue Wilmington, DE 19801 Tax Parcel Numbers: 2606300018, 2606300019, 2606600005, and portion of 2606300014

I. GENERAL CONDITIONS:

A. In accordance with Delaware's *Regulations Governing Solid Waste* ("DRGSW"), Section 2.5.2, the Department of Natural Resources and Environmental Control ("the Department") issues Beneficial Use Determination #29/092614D ("Approval") to Peninsula Compost Company, LLC ("Peninsula") for the purpose of accepting and processing hatchery waste, food waste, yard waste, wood waste, and animal bedding to produce and market quality compost products on Tax Parcels 2606300018, 2606300019, and 2606600005 located on 612 Christiana Avenue and a five acre portion of 2606300014 located on 601 Christiana Avenue in Wilmington, Delaware (see attached parcel map). The property on the northwest side of Christiana Avenue is referred to as 601 Christiana Avenue in the original application documents.

B. This Approval shall be conducted in accordance with the conditions herein and with the following documents, as submitted to the Department: (1) Application for Beneficial Use Determination, dated April 3, 2008; (2) "Checklists for Persons Applying for a BUD" and its attachments dated June, 2008; (3) proof of lease agreement, dated June 24, 2008; (4) Conceptual Closure Plan dated June 2008; (5) Financial assurance: a Trust Agreement and an Irrevocable Standby Letter of Credit in the amount of $405,675 dated August 28, 2013 and subsequent changes to the letter of credit per updated closure cost estimates that have been approved by the Solid and Hazardous Waste Management Section ("SHWMS"); (5) Letter from Peninsula dated December 28, 2011 listing the hatcheries from which they will receive hatchery waste; (6) Most current Facility Operations Plan and Site Map approved by SHWMS; and (7) other procedures and policies specifically referenced in this Approval. Conditions of this Approval shall take precedence over any of the above listed documents. Failure to comply with any condition of this Approval or any provisions within the aforementioned documents is a violation of this Approval.

C. Peninsula shall, upon request, present a copy of this Approval to any law enforcement officer or representative of the Department.

D. Peninsula shall notify the SHWMS in writing within twenty-four (24) hours of any changes in the ownership, operators, name, or company officials.

E. Peninsula shall notify the SHWMS in writing at least thirty (30) days prior to the anticipated need to implement any change in waste characteristics, changes that will alter the beneficial use of the incoming waste material or the processed compost, or changes to processes, operations, or procedures described in the Application documents referenced above in section I.B., or to this Approval. Peninsula shall not implement said changes unless and until they have been notified in writing from the SHWMS agreeing to the change(s).

F. This Approval may be modified by the Department at any time, including additional limitations, requirements and/or special conditions. In the event the regulations governing activities authorized in this Approval are revised, this Approval may be modified.

G. In the event that any condition of this Approval cannot be achieved or is violated, Peninsula shall immediately notify the SHWMS and take immediate action to correct the violation.

II. GENERAL OPERATING CONDITIONS:

A. Operating hours: Compost feedstock materials may be received/processed six days per week, Monday through Saturday 6:00 a.m. to 5:00 p.m. Employees in the waste receiving area and the compost processing area may work beyond the stated hours as required.

B. Security: Access to the Peninsula composting facility shall be controlled to prohibit the entry of unauthorized individuals.

C. Access: Representatives of DNREC may, at any reasonable time, inspect this facility to verify compliance with the requirements of this Approval, the DRGSW and 7 *Del. C.* Chapter 60.

D. Litter control: Daily litter control inspections at the perimeter of the facility shall be conducted and recorded on the Compost Facility Daily Inspection Sheet as detailed in the Operations Plan most recently approved by SHWMS. Daily inspection sheets shall be maintained on site and shall be immediately available to the Department upon request. Litter on and around the facility shall be controlled and collected daily. This includes collection, removal and proper disposal of any solid waste not approved for processing. It also includes collection and proper disposal of any incoming composting feedstock, or outgoing compost product or compost/soil mixture that falls along Christiana Avenue adjacent to the Peninsula site entrances. Prohibited waste, collected litter, and associated waste shall be stored in enclosed containers in one of the two "Residuals Staging Areas" identified on the attached site map. Waste from the screening process may be temporarily kept in a three-sided bunker adjacent to the screen in the manner described in Section III.D.5 of this Approval.

E. Dust control: No dust shall be allowed to migrate off of the facility. Dust shall be controlled at the Peninsula facility by:
    1. Using the biofilter for the air exhausted from the Receiving Building
    2. Using street sweeper equipment on the site
    3. Using the Gore® Cover System in the Windrow Composting Area
    4. Other means as necessary

F. Odor control: As part of the compost operator training, Peninsula operators shall be trained to recognize the improper odors associated with food waste management, anaerobic decomposition or other improper composting techniques in the windrows and/or within stored compost piles and shall take corrective action to eliminate these odors by employing proper materials management and composting procedures. Peninsula operators shall also be familiar with and act according to the most current version of the Odor Minimization and Monitoring Plan approved by the Division of Air Quality. Odors resulting from the Peninsula facility shall not be perceived beyond the boundaries of the Peninsula property. Peninsula shall post, in plain sight of the public, the facility's Odor Complaint Hotline. Any odor complaints received shall be documented and records of the complaints shall be immediately available to the Department upon request. Odors shall be controlled at the Peninsula facility by:
    1. Using the biofilter for the air exhausted from the Receiving Building
    2. Using the air curtain system
    3. Using a spray truck on the site
    4. Other means as necessary

G. Vector control: Peninsula shall monitor the facility for the presence of any rodents or other undesirable vectors daily. Peninsula shall document the presence of any undesirable vectors and legally eradicate them.

H. Fire safety:
   1. Daily temperature monitoring shall be conducted and records maintained for all windrows in Phases I-IV of the composting process. If routine temperature monitoring shows a location in a windrow where temperatures are greater than 160 degrees Fahrenheit, employees shall flag the location and report it to the site manager immediately.
   2. If smoke is detected, employees shall flag the location and report it to the site manager immediately.
   3. The site manager shall act promptly to investigate all issues related to fire safety. Employees shall be trained in the proper procedures for fighting a compost fire.
   4. If a fire is detected, Peninsula shall call 911 to request assistance from the local firefighting agencies. Peninsula shall notify SHWMS at (302) 739-9403 ext. 8 of any fire within 24 hours of detection.
   5. Peninsula management shall meet with the representatives from the Wilmington Fire Department to ensure that their personnel are familiar with the layout of the facility, the sources of water for firefighting, and the methods of fighting a compost fire. Peninsula shall develop a fire management plan with the Wilmington Fire Department, which shall be implemented immediately, reviewed annually and updated as needed.

I. Employee Health and Safety: Employees shall work under appropriate health and safety guidelines established by the Occupational Safety and Health Administration. Use of personal protective equipment shall be in accordance with 29 CFR Part 1910.132 as a minimum. First aid equipment shall be maintained and available onsite. Emergency telephone numbers of nearby ambulance, hospital, police and fire services shall be prominently displayed on-site.

J. Smoking: No smoking shall be permitted in the receiving, processing, screening, and storage areas.

K. Equipment Usage, Inspection and Maintenance: A combination of processing equipment such as front-end loaders, a slow speed shredder, trommel screens, and a sweeper truck will be used to implement this Approval. Peninsula shall use a combination of this equipment and manual labor to process the incoming waste material and to handle finished compost. Processing equipment shall be selected and operated in a manner to meet DNREC Air Quality standards in effect at the site. Peninsula shall maintain the air permit for their air ventilation system as long as it is required, and secure any necessary Division of Air Quality permits in the future. All operating equipment shall be operated and inspected in accordance with the manufacturer's recommendation, any required permits, and this Approval. Equipment shall be maintained and operated in a manner that protects Peninsula employees, the public and the environment.

L. Training: All employees who are to work in the receiving or compost processing area will have received initial training, within 180 days of hiring, in (1) Health and safety procedures, (2) Fire prevention and protection, (3) Emergency first aid and (4) CPR. Prior to working in the composting operation, employees shall

receive compost operator training including site specific training on the basics of the Gore® process, biofilter operation, how to identify acceptable compost feedstock materials, how to identify and respond to prohibited waste, and how to conduct an inspection of the facility. They will also receive equipment operation training conducted by the equipment manufacturer's representative or another person specifically knowledgeable in the operation of the equipment. Training shall include the manufacturer's operating and maintenance manual, operation instruction, equipment safety features, and hazards that might be encountered. Unless otherwise specified by a nationally recognized training provider (for example, the American Red Cross as a training provider for First Aid), training shall be required initially and annually thereafter.

M. Recordkeeping:

1. Peninsula shall maintain all training records on site for a period of three (3) years and the records shall be immediately provided to the Department upon request. These records shall document that required training has been provided to all employees who are to work in the waste receiving and compost processing areas.
2. Peninsula shall record and maintain on site all data required by this Approval for a minimum of three (3) years and the records shall be immediately provided to the Department upon request, including:
    a. Daily, monthly, and annual tonnages for all incoming waste and materials (listed by waste/material description)
    b. Daily, monthly, and annual tonnages for all outgoing waste and materials, including prohibited wastes and residuals (listed by waste/material description)
    c. A list of all buyers or outlets of products
    d. Records from all monitoring and inspections described in this Approval and in Peninsula's Operations Plan
    e. Daily compost process control and monitoring information
    f. Laboratory results from all sampling described in this Approval
    g. Odor, dust and vector complaints received from off site
    h. All data, forms, and reports described in Peninsula's Odor Minimization and Monitoring Plan

N. Sampling and Analysis:

1. All sampling shall be conducted in accordance with the U.S. Composting Council's *Test Methods for Evaluation of Compost and Composting (TMECC)*
2. Peninsula shall sample and analyze each batch of finished compost in order to demonstrate that the finished compost meets the analytical and performance criteria listed in Table 1, below. A batch of finished compost is defined as $\leq$ 2,200 cubic yards of compost that has completed Phase IV and has been screened through a ½ inch screen (or smaller).

3. Each batch of finished compost shall be stored separate from all other batches and windrows unless and until it can be shown to meet the analytical and performance criteria. All batches of compost awaiting analysis or results shall be stored on 601 Christiana Avenue.
4. In the event that a batch of finished compost product fails to meet any of the criteria listed below for any parameter listed in Table 1, Peninsula shall notify the Department in writing within 24 hours, or the next business day, of Peninsula's receipt of the data and provide what corrective actions will be taken to address this failure and prevent future failures.
5. Each batch of finished compost product that does not meet the criteria for Maturity, Soluble Salts, pH, total inerts, moisture content, or carbon to nitrogen ratio shall not be marketed unless and until, Peninsula receives written Department approval or additional management and subsequent analysis of the same batch of finished compost demonstrates it meets the criteria for those parameters.
6. A batch of finished compost product that fails to meet the criteria for Salmonella, Fecal coliform, or any metal listed in Table 1 shall be properly disposed of within 30 calendar days of Peninsula's receipt of the analytical data for that batch.
7. Metals analysis shall be on a dry weight basis for arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium, and zinc using EPA's SW-846 (*Test Methods for Evaluating Solid Waste, Physical/Chemical)* method 6010 in its most currently approved version. Metals in the finished compost shall not exceed the Delaware Uniform Risk Based Remediation Standards (URS) for Critical Water Resource Area, Unrestricted Use as shown in Table 1:

TABLE 1. PERFORMANCE and ANALYTICAL CRITERIA

PARAMETER	CRITERIA
Maturity	≥ 7 based on Solvita® Compost Maturity Index [1]
Soluble Salts (Conductivity)	≤ 10 mmhos/cm
Salmonella	< 3 MPN per 4 g dry wt.
Fecal Coliform	< 1,000 MPN
pH	5 – 8.5
Total Inerts	< 1 %, not to exceed 0.5% plastic
Moisture Content	35-50%
Carbon to Nitrogen Ratio	10:1 to 15:1
Arsenic	< 11 mg/kg [2]
Cadmium	< 4 mg/kg
Chromium	< 35 mg/kg [3]
Copper	< 310 mg/kg
Lead	< 400 mg/kg
Mercury	< 10 mg/kg
Molybdenum	< 2 mg/kg
Nickel	< 160 mg/kg
Selenium	< 26 mg/kg
Zinc	< 2,300 mg/kg

[1] Or shown to be stable to very stable using another method listed in the U.S. Composting Council's *Test Methods for Evaluation of Compost and Composting* (TMECC).
[2] Division policy sets limit for Arsenic at 11 ppm (mg/kg)
[3] The criterion for Chromium is based on the limit for Chromium VI.

O. Reporting:

1. Quarterly: Peninsula shall submit the results from all analyses conducted in a given quarter to the Department via e-mail or in hard copy on a quarterly basis by the following dates: April 15th, July 15th, October 15th, and January 15th. Peninsula shall include in these quarterly reports tonnages and volumes of:
   a. Yard waste, wood waste, food waste, hatchery waste, animal bedding, and any other incoming waste received, listed by waste type
   b. Finished compost produced
   c. Finished compost shipped to, or picked up by, customers
   d. Finished compost used at or around the facility
   e. All waste sent for disposal, recycling, or reuse, and the date and facility where sent. An attempt to provide a general description of the waste shall also be provided, i.e. plastic, treated lumber.

f. Compost failing to meet performance and analytical criteria in Table 1, including the parameter(s) that was not met and the facility at which the unacceptable compost, and manufactured soil if applicable, was disposed
g. Rejected waste, tallied as number of loads, including reason for rejection, customer, and date it was brought to Peninsula
h. Finished compost stored
i. Yard waste, wood waste, screened-overs, food waste, hatchery waste, animal bedding, and any other waste stored, listed by waste type and storage location.
j. Material in each of Phases I-IV, listed by phase

2. Annually:
   a. No later than February 1 of each calendar year, Peninsula shall provide an updated closure cost estimate, taking into account inflation. If the cost estimate has increased over the amount of financial assurance provided, Peninsula shall accordingly provide increased financial assurance, along with an updated Irrevocable Standby Letter of Credit, within six weeks of the submission of the updated closure cost estimate.
   b. No later than February 1 of each calendar year, Peninsula shall submit an annual report for the previous calendar year in hard copy format, and include the following information:
      1. Tonnages and volumes for the same materials described in Section II.O.1.a-g, total of each for the year
      2. Tonnages and volumes for the same materials described in Section II.O.1 h-j, stored at the end of the year
      3. Names and addresses of customers that supplied food waste or hatchery waste
      4. A summary of the performance and analytical results from the quarterly finished compost testing reports, to include the range of results for each parameter and Peninsula's interpretation of those results.
      5. Written discussion by Peninsula of the facility's operations and processes to include any adjustments made in the process as well as a summary of materials management knowledge and experience gained during the past calendar year.

This report shall be submitted to:

Mindy Anthony
Delaware Department of Natural Resources and Environmental Control
Solid and Hazardous Waste Management Section
89 Kings Highway
Dover, DE 19901

3. As discussed in Section III.A.7 below, a special report shall be submitted at the end of the trial period during which hatchery waste is first accepted for composting. This report shall provide analytical results of the finished compost made from hatchery waste; and a summary of knowledge gained during the trial including a record of procedures that were used for blending and composting, and the Process to Further Reduce Pathogens ("PFRP"). This report shall be submitted to the Department no later than 30 calendar days following the completion of the trial period.

O. Authorized Waste Types:
Only yard waste, wood waste, food waste, hatchery waste, and animal bedding shall be accepted for processing into compost and these waste materials shall be managed in accordance with this Approval. No other waste shall be accepted unless approval from the Department is obtained.

P. Prohibited Waste Types:
1. Any plastics that are not certified compostable by the Biodegradable Plastics Institute ("BPI") or equivalent certifying third party
2. Glass, metal
3. Painted, stained, coated, or treated wood; wood containing Chromated Copper Arsenate ("CCA") or other chemical preservatives; wood containing creosote; and wood that is suspected of being contaminated with PCB's, petroleum products, or hazardous chemicals
4. Mixed municipal solid waste (trash/garbage), tires
5. Batteries, electronics
6. Biosolids and septage
7. Petroleum-containing materials or wastes
8. Medical wastes including sharps, radioactive materials, universal wastes or hazardous wastes
9. Hatchery waste not specifically described to, and approved by, the Department. Dissolved air flotation waste and any waste resulting from wastewater systems are specifically prohibited.
10. Food processing waste from sources not approved by the Solid and Hazardous Waste Management Section

III. RAW MATERIAL ACCEPTANCE, PROCESSING, AND STORAGE:

A. Procedures for Waste Acceptance: Waste acceptance and processing shall be conducted in accordance with Peninsula's submitted *Operations Plan*, DRGSW, Delaware Code, and the conditions below.
1. All incoming waste, rejected waste, outgoing waste, and outgoing products shall be weighed and recorded.
2. Peninsula shall not receive greater than 100 tons of hatchery waste per calendar week.

3. Upon arrival at the facility, all incoming loads of yard waste, wood waste, food waste, and animal bedding shall be inspected prior to, and after, unloading. Hatchery waste shall be inspected as it is dispensed or unloaded. Any loads that appear to contain any of the prohibited wastes listed in section II.P of this permit shall be rejected.
4. All loads of waste that are received shall be unloaded onto a designated receiving area and inspected. Any prohibited wastes that are visible shall be handled in one of two different ways depending on the waste.
   a. Items 1-5 in the list of prohibited items in section II.P are any plastics that are not certified compostable by the Biodegradable Plastics Institute ("BPI") or equivalent certifying third party; glass, metal; painted, stained, coated, or treated wood; wood that is suspected of being contaminated with PCB's, petroleum products, or hazardous chemicals; mixed municipal solid waste (trash/garbage), and tires; and batteries, electronics. These wastes shall be reloaded onto the truck and removed immediately. If these wastes are noticed after the hauler/customer has left Peninsula's facility, these wastes shall be immediately removed from the load, lawfully managed and lawfully removed from the site within 72 hours of initial receipt. Peninsula shall also document the type and quantity of prohibited waste and its hauler/customer. Peninsula shall contact the hauler/customer of the prohibited waste to explain the reason for rejection and that if future loads of prohibited waste are received, Peninsula will no longer accept any loads of waste from that hauler/customer.
   b. Items 6-10 on the list of prohibited items in section II.P are biosolids and septage; petroleum containing materials or wastes; medical waste, radioactive materials, universal or hazardous waste; hatchery waste not specifically described to, and approved by, the Department; and food processing waste not approved by the Department. If these wastes are noticed on the sorting pad, Peninsula shall immediately call the SHWMS at (302) 739-9403 for proper handling and disposal procedures and follow such procedures.
5. Peninsula shall implement and maintain a process to extract non-compostable plastics with the goal of eliminating non-compostable plastic from the composting process.
6. Procedures for Food Waste Acceptance: Food waste may include associated paper products (such as paper napkins, plates, cups, and cardboard), and associated items that are certified to be compostable by the BPI or equivalent certifying third party. With these exceptions, any items listed as Prohibited Waste in section II.P that are received with the food waste shall be handled as outlined in section III.A.4 above. Food waste shall not be accepted from individual residents.

7. Procedures for Hatchery Waste Acceptance: Hatchery waste consists of non-fertile poultry eggs, poultry eggshells, poultry egg membranes, and dead poultry embryos. Peninsula may accept up to 100 tons per calendar week of hatchery waste for composting from the following hatcheries:

   Perdue Farms, Inc. - 9891 Old Princess Anne Road, Westover, MD
   Perdue Farms, Inc. - 7080 Zion Church Road, Salisbury, MD
   Perdue Farms, Inc. - 37 Delaware Avenue, Hurlock, MD

   Any items listed as Prohibited Waste in section II.P that are received with the hatchery waste shall be handled as outlined in section III.A.4 above. For the first six months hatchery waste is accepted, Peninsula shall not accept more than 100 tons per calendar week of hatchery waste. This six-month period shall be a trial period for accepting hatchery waste; and Peninsula shall report to SHWMS on the results of this trial no later than 30 days after the last day of the trial period. Peninsula may continue to accept up to 100 tons per calendar week of hatchery waste after the trial period has ended unless otherwise notified by the Department.

B. Procedures for Food Waste Handling: Food waste shall be unloaded onto the Receiving Building floor separate from the yard waste unloading area. Any waste associated with food waste but which is not certified compostable by the BPI, or equivalent certifying third party, shall be immediately removed from the load and placed in one of the designated "Residuals Staging Areas" described on the attached site map. Food waste shall be unloaded on top of absorbent organic material. No liquid residue from the food waste shall leave the absorbent organic material or the Receiving Building floor. Food waste shall be blended with yard waste or wood waste to reach a carbon to nitrogen ratio between 20:1 and 35:1. Yard waste and food waste shall be blended together by front-end loader. All food waste shall be mixed, shredded, and placed in a windrow and covered with the Gore® cover system within twenty-four (24) hours of the food waste being received. Food waste shall be processed in accordance with Peninsula's most recently approved Operations Plan except to follow specific requirements of this Approval. Windrows shall be held at temperatures above 131 degrees Fahrenheit for three consecutive days to meet requirements of the process to further reduce pathogens. Food waste that has spoiled to the point that the pH can affect the composting process shall either be amended to correct the pH prior to incorporation into a windrow or immediately be properly disposed at a lawful offsite location.

C. Procedures for Hatchery Waste Handling: Hatchery waste shall be delivered to the Peninsula site in a covered, leak-proof vehicle or container. Hatchery waste shall be unloaded into the Receiving Building in an area separate from the yard waste unloading area. Hatchery waste shall be unloaded on top of absorbent organic material. No liquid residue from the hatchery waste shall leave the absorbent organic material or the Receiving Building floor. Hatchery waste shall be blended with yard waste or wood waste to reach a carbon to nitrogen ratio

between 20:1 and 35:1. Yard waste and hatchery waste shall be blended together by front-end loader. All hatchery waste shall be mixed, shredded, and placed in a windrow and covered with the Gore® cover system within twenty-four (24) hours of the food waste being received. Windrows shall be held at temperatures above 131 degrees Fahrenheit for three consecutive days to meet requirements of the process to further reduce pathogens. Hatchery waste that has spoiled to the point that the pH can affect the composting process shall either be amended to correct the pH prior to incorporation into a windrow or immediately be properly disposed at a lawful offsite location.

D. Procedures for Storage of Waste:

1. The total amount of unprocessed waste for composting stored in the Receiving Building shall not exceed 935 cubic yards (700 tons) of material. This total shall be any combination of hatchery waste, food waste, yard waste, wood waste, and animal bedding.
2. Yard waste and wood waste, including wood waste overs described below in section III.D.5, shall be stored inside the receiving building or in the designated Storage Bins outside of the Receiving Building as described in the attached site map. These storage bins shall contain no more than 470 cubic yards of any combination of yard waste and wood waste, whether ground or un-ground. Additional unground yard waste and unground wood waste, including wood waste overs described below in section III.D.5, may be stored on the 601 Christiana Ave property not to exceed 14,500 cubic yards. All yard waste and wood waste piles shall have a maximum height of 15 feet.
3. The temperature of the piles of ground yard waste and ground wood waste, including wood waste overs described below in section III.D.5, shall be monitored and recorded at least once a week to ensure the temperature at the core of the pile does not exceed 160 degrees Fahrenheit. If the temperature is above 160 degrees Fahrenheit, Peninsula shall follow the fire safety procedures outlined in Section II.H above and take action to reduce the risk of fire. Records shall indicate the temperature measured as well as any actions taken to lower the temperature, if applicable.
4. Wood waste material, or "overs", from the ½ inch screen, shall be an acceptable feedstock as long as they have gone through an effective process to mechanically remove plastic and shall not contain > 0.5% plastic prior to storage or reintroduction to the composting process.
5. Prohibited waste, collected litter, and associated waste shall be stored in enclosed containers in one of the two "Residuals Staging Areas" identified on the attached site map. Waste from the screening process may be temporarily kept in a three-sided bunker adjacent to the screen, but this waste shall be sent for proper off-site disposal, or stored in an enclosed container(s) in the Residual Staging Area(s), once the waste reaches 120 cubic yards in volume or within 72 hours of the Department's request to dispose of the waste (whichever comes first). No more than 160 cubic yards of any waste shall be stored in a single "Residuals Staging Area".

Waste stored in a "Residuals Storage Area" shall be removed the same day the container becomes full or within 72 hours of the Department's request to dispose of the waste (whichever comes first).

6. Any other storage of waste not described in this Approval is prohibited.

E. Procedures for Waste in the Process of Composting (Phases I-IV):
   1. All material in all phases of composting (from initial placement in the composting windrow to the final screening) shall be placed into windrows. All windrows in Phases I and II shall be completely covered by the Gore fabric such that no compost is exposed and the Gore fabric shall be sufficiently weighted down so the fabric does not move and the compost remains completely covered. The Gore fabric shall be monitored for wear and tear and shall be repaired or replaced as necessary to perform properly.
   2. No composting windrow shall exceed 185 feet in length, 26 feet in width, or 12 feet in height. Windrows shall be at least six feet apart at the base and at least 12 feet apart at the top.
   3. No more than 4,500 cubic yards of completed Phase III compost shall be stored while awaiting screening through the 2" screen.
   4. No more than 15,000 cubic yards of Phase IV compost shall be stored at any one time.
   5. All completed Phase III compost shall only be stored in the designated Screening and Phase IV Area on 612 Christiana Avenue, as indicated on the attached site map. Phase IV compost shall be stored on either 612 Christiana Avenue in the designated Screening and Phase IV Area or on 601 Christiana Avenue in the designated Storage Area for Soil, Finished Compost and Compost Awaiting Analysis.
   6. All Phase IV compost shall have gone through mechanical separation to remove plastics. Plastics, as well as other non-compostable materials removed from this separation process, may be temporarily kept in a three-sided bunker adjacent to the screen in the manner described in Section III.D.5 of this Approval.

F. Procedures for Soil Acceptance: Peninsula shall evaluate all soils using appropriate due diligence and site investigative techniques to certify that the material meets the definition of Clean Fill set forth in Delaware's *Regulations Governing Solid Waste* (*DRGSW*). If soil classification cannot be determined in this way, soil sampling and analysis shall be conducted prior to soil acceptance to verify that the incoming soil meets Delaware URS Standards for a Critical Water Resource Area, Unrestricted Use.

G. Procedures for Soil Storage: Soil shall be stored on 601 Christiana Avenue but shall be clearly identified and segregated from all other windrows and piles. Soil storage shall be conducted in a manner such that all other storage limitations established in this Approval are met at all times. Soil storage shall also be maintained such that it poses no threat to the environment as a result of run-off or leaching. All manufactured soil shall not exceed 10,000 cubic yards.

IV. STORAGE OF FINISHED COMPOST:

A. Finished compost is defined as compost that has completed the composting phases, has been screened through a ½-inch screen (or smaller), has satisfied all performance and analytical criteria specified in Table 1 of this Approval, and is immediately available for distribution to a customer, whether paid or unpaid.
B. Finished compost shall be stored on 601 Christiana Avenue as designated on the attached site map.
C. Finished compost, Phase IV compost in the 601 Christiana Avenue area, and compost awaiting analysis shall not exceed a total combined volume of 25,000 cubic yards nor weight of 18,750 tons.

V. FINISHED COMPOST USE AND APPLICATION:

A. It is Peninsula's responsibility to ensure that all necessary approvals have been obtained prior to marketing the compost.
B. Finished compost shall be used as a soil amendment or to create manufactured soil.

VI. CLOSURE:

A. Peninsula shall immediately notify the Department in writing the estimated date of facility closure and/or the date wastes will no longer be accepted for composting.
B. Peninsula shall notify the Department in writing when closure activities are started, and again when closure is complete.
C. Should Peninsula cease the processing of waste into compost, within one hundred and twenty (120) days of cessation of operation, all feedstocks, waste material in the process of composting, and compost product shall be recycled, re-used, or disposed of off-site. All disposal, re-use, and recycling activities undertaken in this section must be conducted per the requirements of the *DRGSW* and Delaware Code.
D. During the 120 day closure period, the total amount of soil, finished compost and compost awaiting analysis stored on site shall not exceed a total of 25,000 cubic yards, nor 18,750 tons. By the end of the 120-day period, all soil and compost, including compost which did not meet the analytical criteria established in Table 1 of this BUD, shall be removed from the site.

VII. ADDITIONAL CONDITIONS:

A. The Department retains the right to collect samples of any material at any time. The Department and Peninsula retain the right to obtain split samples from each other's sampling events for separate analysis. Peninsula shall bear the expenses or reimburse the Department for the cost of analysis of all samples obtained and analyzed by, or for, the Department once per quarter.

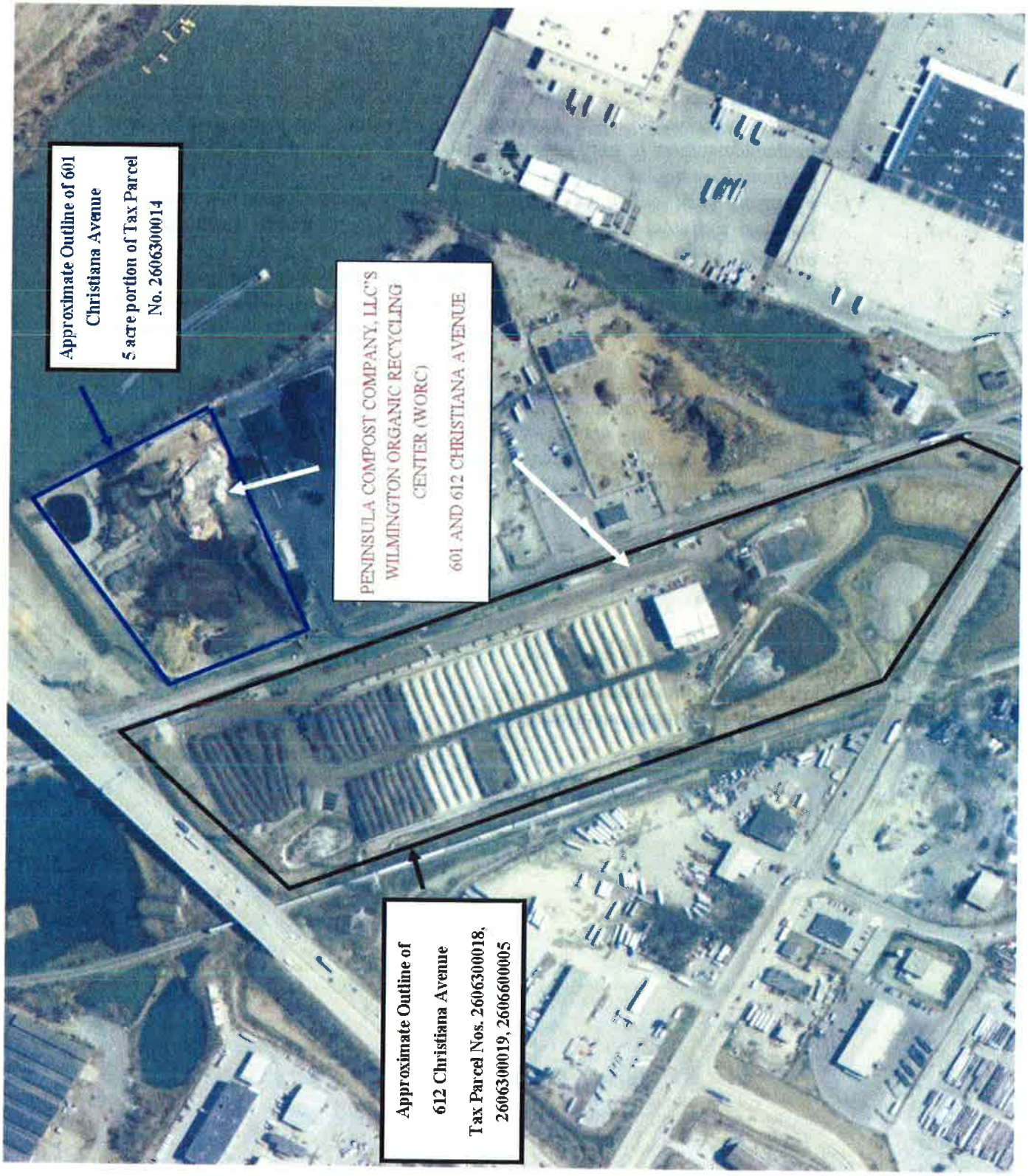
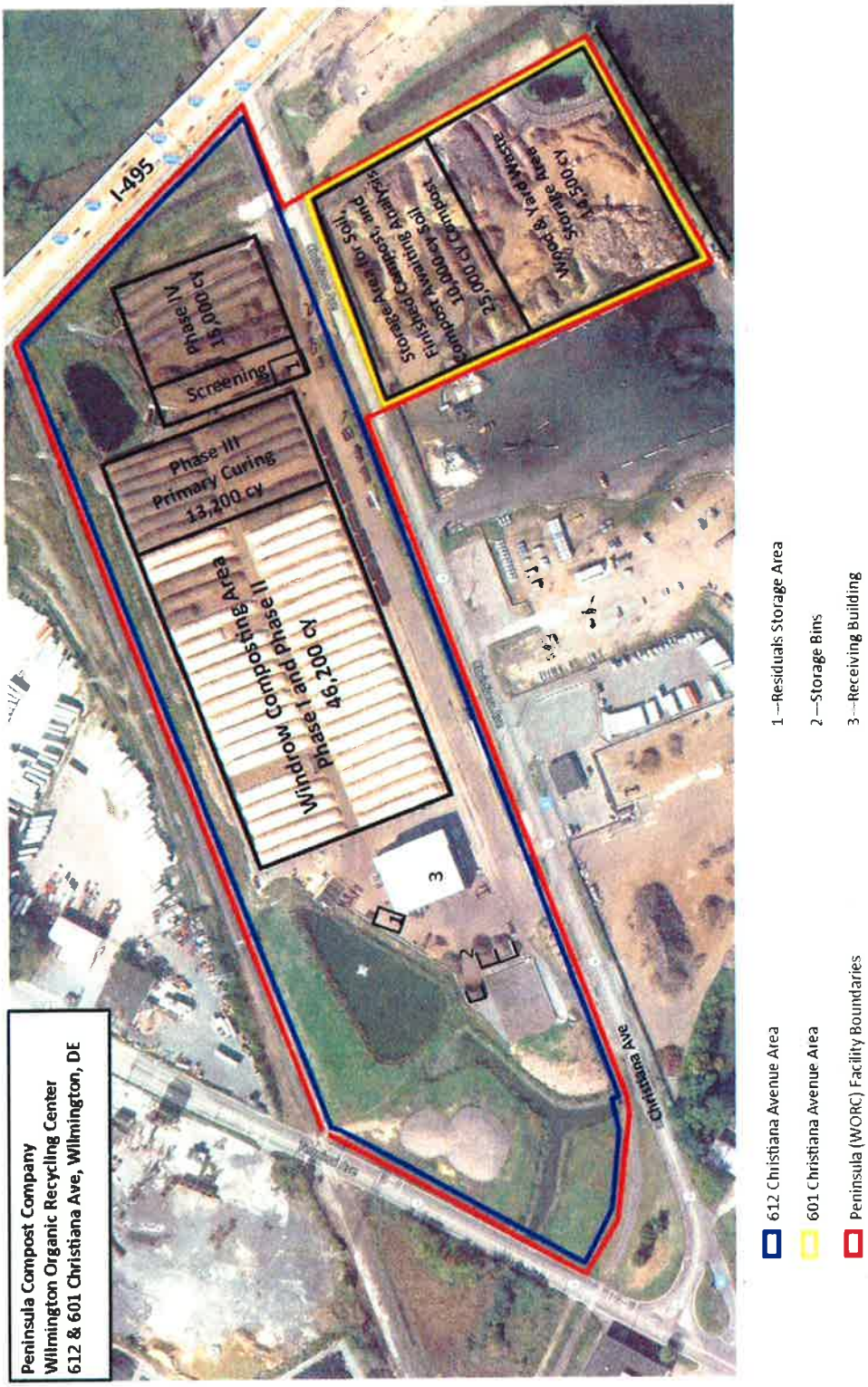
B. Peninsula shall, at least annually, notify its customers of accepted and prohibited wastes as defined in this Approval. Furthermore, Peninsula shall require its haulers/customers to notify the generator of the waste of the same accepted and prohibited wastes.
C. Peninsula shall obtain and maintain proper coverage under the Department's National Pollutant Discharge Elimination System (NPDES) stormwater permit program.
D. If Peninsula desires to renew this Approval, Peninsula shall submit a new application no later than 120 days prior to its date of expiration. Peninsula may be required to submit additional documentation as needed at the Department's sole discretion.
E. This Approval does not relieve Peninsula from complying with any other applicable Federal, State, or Local laws, regulations or ordinances.
F. Any violation of any condition of this Approval, regulation promulgated by the Department, Secretary's Orders, or provision of 7 *Del.C.* Chapter 60, shall justify termination of this Approval, and implementation of appropriate enforcement action.

Nancy C. Marker

5-5-14
Date

Nancy C. Marker
Environmental Program Administrator
Solid and Hazardous Waste Management Section

PARCEL MAP


Approximate Outline of 601
Christiana Avenue
5 acre portion of Tax Parcel
No. 2606300014
PENINSULA COMPOST COMPANY, LLC'S
WILMINGTON ORGANIC RECYCLING
CENTER (WORC)
601 AND 612 CHRISTIANA AVENUE
Approximate Outline of
612 Christiana Avenue
Tax Parcel Nos. 2606300018,
2606300019, 2606600005

ATTACHED SITE MAP