

**SYNOPSIS**  
**PROPOSED AMENDMENTS TO THE RULES OF THE**  
**DEPARTMENT OF NATURAL RESOURCES**  
**ENVIRONMENTAL PROTECTION DIVISION**  
**SOLID WASTE MANAGEMENT, CHAPTER 391-3-4**

**Rule 391-3-4-.04(7)(c), “Recovered Materials”** is being amended.

**Purpose:** To revise the speculative accumulation criteria for recovered materials.

**Main Features:** Revises the former criteria that 60% of the volume of material must be recycled, sold, used, or reused within a 90-day period to 75% of the volume of material must be recycled, sold, used or reused within a calendar year.

**Rule 391-3-4-.06, “Permit by Rule for Collection, Transportation, Processing, and Disposal.”** is being amended.

**Purpose:** To develop a new category for small landfills accepting only yard trimmings.

**Main Features:** Amends paragraph (1) to add yard trimmings waste landfill operations to the list of eligible permits by rule.

Adds sub-paragraph (f) to provide a new permit by rule for small landfills (five acres of waste disposal area or less) accepting only yard trimmings in counties with less than 65,000 people.

**STATEMENT OF RATIONALE**  
**Proposed Amendments to the Rules for Solid Waste Management**

Yard trimmings are leaves, brush, grass clippings, shrub and tree prunings, discarded Christmas trees, nursery and greenhouse vegetative residuals, and vegetative matter resulting from landscaping development and maintenance other than mining, agricultural, and silvacultural operations (O.C.G.A. § 12-8-22(42)). The materials must be handled by local governments to assure that they do not accumulate in yards, on the side of streets, and on roadways that are being maintained. Local governments in rural counties do not have many options to deal with these organic wastes. With very few municipal solid waste landfills that can accept yard trimmings and a small number of permitted construction/demolition waste and/or inert landfills in rural counties, local governments have limited options for proximate disposal.

Due to this increased hardship on local governments in rural counties, EPD is proposing to add a permit by rule process for small landfills (five acres or less) accepting only yard trimmings waste in counties with a population of 65,000 or less. This new category of landfill will have the same conditions as other inert waste landfill operations with one exception: the Division is proposing to increase the buffer zone from 100 feet to 200 feet from the property line to an enclosed structure. The increase in this buffer is necessary to provide an added precaution to prevent the potential of methane gas to impact adjacent tracts.

As an additional alternative for handling these yard trimmings in a beneficial manner, EPD is proposing to amend the speculative accumulation criteria from 60% in a 90 day period to 75% in a calendar year. Frequently, a facility is unable to accumulate an adequate amount of material to beneficially reuse within a 90 day period given the expense of hiring a contractor to grind yard trimmings into a reusable product. Therefore, EPD is proposing to increase the amount of time to obtain the material but also increase the amount of material that must be reused as a recovered material.

The proposed rule amendments will not result in increased costs to solid waste handling facility operators and the change to the speculative accumulation criteria will hopefully increase the amount of materials recovered. Since the new category of landfill will be permitted through a notification process, the workload to implement the yard trimmings amendment will be minimal. Therefore, EPD does not anticipate hiring new staff or asking for an increased budget to handle any increased workload.