**Section 830.203 Location Standards for Landscape Waste Compost Facilities**

a) With the exception of on-farm landscape waste operations, all landscape waste compost facilities subject to this Part shall comply with the following:

1) The composting area of the facility must include *a setback of at least 200 feet from the nearest potable water supply well*. (Section 39(m) of the Act)

2) The composting area of the facility must be *located outside the boundary of the 10-year floodplain or the site shall be floodproofed.* (Section 39(m) of the Act)

3) The composting area of the facility must be *located so as to minimize incompatibility with the character of the surrounding area, including at least a 200 foot setback from any residence, and in the case of a facility that is developed or the permitted composting area of which is expanded after November 17, 1991, the composting area* shall be *located at least 1/8 mile from the nearest residence (other than a residence located on the same property as the facility*). (Section 39(m) of the Act) In addition, in the case of a facility that is developed or the permitted composting area of which is expanded after January 1, 1999, the composting area shall be located at least 1/8 mile from the property line of each of the following:

A) 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;

B) Primary and secondary schools and adjacent areas that the school uses for recreation; and

C) Any facility for child care licensed under Section 3 of the Child Care Act of 1969 [225 ILCS 10/3]; preschools; and adjacent areas that the facility or preschool uses for recreation.

4) If, at the time the facility permit application is deemed complete by the Agency pursuant to 35 Ill. Adm. Code 832, the composting area of the facility is located within 1/4 mile of the nearest off-site residence or within ½ mile of the nearest platted subdivision containing a residence, or if more than 10 residences are located within ½ mile of the boundaries of the facility, in order to minimize incompatibility with the character of the surrounding area, landscape waste must be processed by the end of the operating day on which the landscape waste is received into windrows, other piles or a contained composting system providing proper conditions for composting.

5) The composting area of the facility must be designed to *prevent any compost material from being placed within 5 feet of the water table, to adequately control runoff from the site, and* to *collect and manage any* landscape waste *leachate that is generated on the site*. (Section 39(m) of the Act) Compliance with the water table distance requirement may be demonstrated by either of the following means:

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.

6) The facility must meet all requirements under the Wild and Scenic Rivers Act (16 USC 1271 et seq.).

7) The facility must not restrict the flow of a 100-year flood, result in washout of landscape waste from a 100-year flood, or reduce the temporary water storage capacity of the 100-year floodplain, unless measures are undertaken to provide alternative storage capacity, such as lagoons, holding tanks, or provision of drainage around structures at the facility.

8) The facility must not be located in any area where it may pose a threat of harm or destruction to the features for which:

A) An irreplaceable historic or archaeological site has been listed pursuant to the National Historic Preservation Act (16 USC 470 et seq.) or the Illinois Historic Preservation Act [20 ILCS 3410];

B) A natural landmark has been designated by the National Park Service or the Illinois State Historic Preservation Office; or

C) A natural area has been designated as a Dedicated Illinois Nature Preserve pursuant to the Illinois Natural Areas Preservation Act [525 ILCS 30].

9) The facility must not be located in any area where it may jeopardize the continued existence of any designated endangered species, result in the destruction or adverse modification of the critical habitat for such species, or cause or contribute to the taking of any endangered or threatened species of plant, fish or wildlife listed pursuant to the Endangered Species Act (16 USC 1531 et seq.) or the Illinois Endangered Species Protection Act [520 ILCS 10].

b) A facility's compliance with the location standards set forth in subsection (a) of this Section shall be determined at the time described below:

1) For a facility that is required to obtain a permit under Section 21(d) of the Act, at the time that a complete permit application for a new or expanded facility is filed with the Agency under 35 Ill. Adm. Code 832; or

2) For a facility that is not required to obtain a permit under Section 21(d) of the Act, at the time that construction of the new or expanded facility begins.

(Source: Amended at 22 Ill. Reg. 21052, effective November 23, 1998)