

EXHIBIT O-3

NJDEP “Exempt” “Woody Tree Parts” and “Leaves and Grass Clippings” Operations Conducted by Peach Country per its July 14, 2014 Notification of Exempt Recycling Activities (Subparts 3 and 22):

N.J.A.C. 7:26A-1.4 Activities exempt from general or limited approval.

(a) The activities listed below are exempted from the requirement to obtain a general or limited approval pursuant to *N.J.A.C.* 7:26A-3 and, unless otherwise specified, the solid waste planning requirements at *N.J.A.C.* 7:26-6.10 or 6.11. The specific criteria applicable to these activities are as follows:

3. Recycling activities in which tree branches, tree limbs, tree trunks, brush and wood chips derived from tree parts are to be received, stored, processed or transferred provided that:

i. Only the amount of unprocessed material which the equipment on-site or as may be readily available is capable of processing within a one-week period up to a maximum of 7,500 cubic yards is stored on-site;

ii. Storage of material on-site shall not exceed one year;

iii. Storage of processed material on-site shall not exceed 7,500 cubic yards; and

iv. Processing is limited to four times per year and each processing event shall be limited to a two-week time period, unless prior approval is received from the Department;

22. The receipt of less than 3,000 cubic yards of leaves per year, and/or 1,000 cubic yards of grass clippings per year, at a site for transfer to a recycling center holding a general approval pursuant to *N.J.A.C.* 7:26A-3 for the receipt and processing of leaves and/or grass, or to other sites exempted from the requirement to obtain a general or limited approval to operate pursuant to *N.J.A.C.* 7:26-1.4, or other specific use approved in writing by the Department where the receipt and transfer activity meets the criteria below:

i. Leaves shall be removed from the site within 45 days of receipt;

ii. Grass shall be placed promptly in nonleaking containers, such as roll-offs, upon receipt at the facility. The container shall be covered immediately following loading and shall remain fully covered until removed from the site;

iii. No grass clippings or leachate shall remain on the ground after loading into non-leaking containers as specified in (a)22ii above;

iv. Containers shall be removed from the site within two days of the placement of any grass in the container; and

v. Records of the daily volume of leaves and grass clippings received and transferred, including the name and address of the site to which the leaves are transferred, shall be kept and maintained at the facility for three years from the date that the records were generated. The required records shall be made available to the Department during an inspection and shall be submitted to the Department upon request;

NJDEP “Exempt” Yard Trimmings Composting Operations Conducted by Peach Country (Subpart 18) but not referenced in the July 14, 2014 Notice:

18. The receipt of yard trimmings for composting where the finished compost product is applied on site on land deemed actively devoted to agricultural or horticultural use, as defined in the Farmland Assessment Act of 1964, *N.J.S.A.* 54:4-23.5 and consistent with the State Agriculture Development Committee rule at *N.J.A.C.* 2:76-2A.8, Agricultural management practice for on-farm compost operations operating on commercial farms, or on mined lands being restored under an approved restoration plan and where the activity meets the criteria below:

- i. Yard trimmings shall be removed from bags, boxes or similar containers prior to windrow formation except that yard trimmings in paper or biodegradable plastic bags need not be removed from such bags if the processing equipment provides for a shredding or cutting action. All discarded bags, boxes and similar containers shall be placed in a suitable refuse receptacle in a staging area for removal to an off-site disposal facility;
- ii. Yard trimmings shall be placed in windrows within the week of receipt;
- iii. Composting windrows shall terminate no closer than 50 feet from any property line and 150 feet from the property line of any area of human use or occupancy, or if grass clippings are received, the composting windrows shall terminate a minimum of 500 feet from the property line of any area of human use or occupancy;
- iv. Yard trimmings shall be received only during times when the operator or owner is present;
- v. An adequate water supply and fire-fighting equipment shall be readily available to extinguish any fires;
- vi. The composting operation shall incorporate a composting method that results in the aerobic biodegradation of the yard trimmings received; and
- vii. The on-site use of the final compost product shall be subject to an approved agricultural management plan, mining area restoration plan, or other plan defining appropriate methods of compost product use and rates of application, developed by the Natural Resources Conservation Service, or other applicable local, State or Federal agency;