



# State of Nevada

## Department of Conservation & Natural Resources

### Division of Environmental Protection

[NDEP.nv.gov](http://NDEP.nv.gov)

## Guidance Document — Requirements for a Compost Permit

*Use this guidance to determine whether or not your facility may need a Compost Plant Permit.*

**NRS 444.460 "Disposal site" defined.** "Disposal site" means any place at which solid waste is dumped, abandoned or accepted or disposed of by incineration, land filling, composting or any other method. The term includes a municipal solid waste landfill.

### **NRS 444.553 Permits to operate disposal sites: Issuance; requirements.**

1. The solid waste management authority shall, in accordance with the regulations of the state environmental commission adopted pursuant to NRS 444.560, issue permits to operate disposal sites.
2. A person shall not operate or authorize the operation of a disposal site unless the operator: (a) Holds a permit to operate the disposal site issued by the solid waste management authority;

### **NRS 444.620 Applicability of plans and provisions.**

1. No plan for a solid waste management system adopted pursuant to [NRS 444.440](#) to [444.620](#), inclusive, applies to any agricultural activity or agricultural waste...

**NAC 444.572 "Composting" defined.** "Composting" means a controlled process of biological degradation of solid waste to an inoffensive humus-like product.

### **NAC 444.6405 Permit to operate disposal site: Requirement; exemptions; application (NRS 444.560)**

1. Except as otherwise provided in subsection 2, the owner or operator of a disposal site must obtain a permit to operate the site from the appropriate solid waste management authority.
2. The following sites are exempt from the provisions of subsection 1:
  - (a) Composting bins which are operated at a personal residence for personal use; and
  - (b) Municipal composting operations for yard wastes.
3. The owner or operator of a proposed disposal site shall obtain a permit before the construction or operation of that site. An application for a permit must be submitted at least 180 days before the anticipated start of construction, to allow sufficient time for the review and issuance of the permit.

	<b>COMPOST PROCESS DESCRIPTION</b>	<b>PERMIT REQUIRED ?</b>	<b>NDEP COMMENTS</b>
<b>ON – FARM Composting</b>	1. Farmer composts his own agricultural waste and applies composted material to his own land.	<b>NO</b>	Exempt per NRS 444.620
	2. Farmer composts his own agricultural waste and sells to other farmers for agricultural purposes.	<b>YES</b>	Compost production for sale is a commercial operation rather than an agricultural activity.
	3. Farmer composts his own agricultural waste, and sells to the general public.	<b>YES</b>	Compost production for sale is a commercial operation rather than an agricultural activity.
	4. Farmer composts agricultural waste generated by other farmers and applies composted material to his own land.	<b>NO</b>	Exempt per NRS 444.620
	5. Farmer composts agricultural waste generated by other farmers and sells or otherwise purveyed to other farmers.	<b>YES</b>	Compost production for sale is a commercial operation rather than an agricultural activity.
	6. Farmer composts agricultural waste generated by other farmers and sells or otherwise purveyed to the public.	<b>YES</b>	Compost production for sale is a commercial operation rather than an agricultural activity.
	7. Farmer composts non-agricultural waste from any source and sells or otherwise purveyed to the public.	<b>YES</b>	Not exempt per NRS 444.620
	8. Farmer composts non-agricultural waste from any source and applies composted material to his own land.	<b>NO</b>	Exempt per NRS 444.620
<b>Off Site Composting</b>	9. Municipal yard waste composting	<b>NO</b>	Exempt per NAC 444.6405
	10. Commercial yard waste composting	<b>YES</b>	Standards in NAC 444.670.2(c)

**Contact**

For additional information, contact the NDEP Solid Waste Branch at (775) 687-9462. Facilities located in Clark or Washoe Counties should contact:

- [Southern Nevada Health District](#) at (702) 759-0600
- [Washoe County District Health Department](#) at (775) 328-2434