



FACT SHEET

Municipal Food Waste Composting *An Environmental Permitting Factsheet*



This Factsheet provides information on the types of permits that may be required by the Connecticut Department of Energy and Environmental Protection (DEEP) and the timing and sequencing of those permits to municipalities that are proposing food scrap composting. Environmental permits are necessary to make sure that composting operations are built and operated in accordance with best practices and in a manner that protects the environment and public health. Not all of the permits listed in this factsheet may be necessary and permitting requirements will be dependent on the details of the specific project and project site.

It is also important to note that the Air, Water, and Waste permits discussed in this factsheet may be submitted and processed concurrently if it is critical to the project to achieve the shortest permitting timeframe. An experienced environmental consultant who is familiar with Connecticut's regulations can assist potential applicants in obtaining any necessary environmental permits. [DEEP's Concierge and Permit Assistance service](#) is also available for [pre-application assistance](#). A pre-application meeting gives the applicant an opportunity to present their proposed project to DEEP's regulatory program staff and address any questions or concerns either the applicant or DEEP may have. To schedule a meeting, please complete the [Pre-Application Questionnaire](#) and submit it to DEEP.OPPD@ct.gov.

1. Natural Diversity Data Base (NDDB) – At the outset of a project, it is necessary to determine if there are known occurrences of any state or federally-listed species within the impact area of the project site ([Section 26-306 of the Regulations of Connecticut State Agencies](#)). DEEP recommends conducting an initial site evaluation to assess the potential to support state-listed species. If project work alters an existing site footprint, including areas of non-impervious surface (including staging, storage, and access areas), or discharges to nearby waterbodies, it will be necessary to consult with the NDDB program regarding impact-avoidance measures.

Developers should review [NDDB mapped areas](#) to determine if the proposed project is in an area with documented listed species. If the project site is in a documented area, developers should submit a [Request for Review](#) through [DEEP's ezFile Portal](#). NDDB staff will review project details and provide measures to protect listed species in the NDDB Determination letter. The Determination Letter is required to be submitted with other state permit applications and general permit registrations. A standard biologist review typically takes 10 weeks. If biological survey work is deemed necessary, the process may take 6-12 months longer due to the seasonal timing of surveys.

- II. Waste Engineering and Enforcement Division, Solid Waste Permitting – Refer to the [Current Permit Authorization Pathways for Food Waste Management table](#) for different permitting options for managing food waste. The [General Permit for a Municipal Transfer Station](#) only allows the collection of food scraps up to 80 cubic yards in containers, and does not allow processing or composting of those food scraps.

In order to add food composting to an existing municipal transfer station, two permit applications will be required to be submitted to the Solid Waste program:

Leaf Composting Registration

If the Transfer Station has not already applied for authorization under the [Leaf Composting Registration](#) Program, that application should be submitted concurrently with the Solid Waste Demonstration Project Authorization application. There is no application fee, and authorization does not expire. Application requirements include a minimum setback from a surface waterbody of 100 feet, an operations and maintenance plan, US Geological Survey quadrangle, and detailed site plan. Additional requirements may be found in the [Leaf Composting regulations](#).

Solid Waste Demonstration Project Authorization

In order to integrate food scrap composting into the leaf composting operation, a municipality will also need to apply for a [Solid Waste Demonstration Project Authorization](#). Municipal projects may qualify for a municipal discount on the application fee. There is an average 3 month processing timeframe for the processing of these applications, depending on the quality of the application materials received.

Other Composting Methods

Use of other composting methods such as in-vessel composting at the municipal transfer station will require discussion with the Waste Engineering and Enforcement Division on feasibility and permitting pathway. If the transfer station has an active Municipal General Permit- Municipal Transfer Station Permit, then satellite locations are authorized for the storage of 2 cubic yards of food waste or less, as food waste is deemed as a recyclable material per Appendix Part I, Condition (5) (O) of the [General Permit for a Municipal Transfer Station](#). As outlined in Appendix Part I, Paragraph (1) and Paragraph (5) O, please send a letter to WEED documenting how one will meet these requirements. Detailed information needs to be provided, such as where these containers will be placed and how they will be regulated.

Additionally, the placement of in-Vessel composter(s) may also require modification(s) to other existing permits for the site, such as a Volume Reduction Facility Permit, due to the addition of food waste. Application requirements will include a site plan certified by a Connecticut-licensed Professional Engineer, a detailed operations and maintenance (O&M) plan, and financial assurances.



After submission of the application, a sufficiency review will be completed; if the application is deemed sufficient, it will undergo technical review, which may take up to 9 months to 1 year and may involve additional requests for information. After technical review is completed, the draft notice of tentative determination to approve will be issued for public notice for 30 days.

- III. Stormwater – There are two types of stormwater permits that may apply to a project. The first is required for construction. The second may apply during the operation of the facility. Determinations regarding natural resources and other permit requirements (NDDDB, etc.) are typically required for both types of stormwater general permits, and inform the requirements for filing for a stormwater permit registration, and development of the requisite Stormwater Pollution Control Plan and/or Stormwater Pollution Prevention Plan.

Construction Stormwater General Permit

Any project disturbing one or more acres of land during construction must comply with the terms and conditions of the [DEEP General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities](#) (Construction Stormwater General Permit). Projects that are subject to municipal review and approval that disturb less than five acres can comply with the Construction Stormwater General Permit without filing a registration with DEEP by adhering to municipal land use requirements for erosion and sedimentation control; the [Connecticut Guidelines for Soil Erosion and Sediment Control](#), as amended; and the [Stormwater Quality Manual](#), as amended. A registration is required to be filed with DEEP for all projects subject to municipal review and approval that disturb five or more acres of land during construction, and for projects that disturb greater than one acre and are exempt from local review and approval.

The typical processing timeframe for the Construction Stormwater General Permit registration is up to 60 days for locally approvable projects, and up to 60 or 90 days (depending on extent of land disturbance) for projects exempt from local review and approval. These timeframes include a 30-day public comment period. Additional information and instructions on how to use ezFile can be found on the [Stormwater Management](#) page.

Industrial Stormwater General Permit

A project that involves industrial activity may require coverage under the [Industrial Stormwater General Permit](#) if stormwater runoff from the site discharges to a surface water, wetlands, or a municipal separate storm sewer system. The Industrial Stormwater General Permit requires registration by the operator of the facility to be filed with DEEP online via ezFile; the development and implementation of a [Stormwater Pollution Prevention Plan](#) (SWPPP); inspections; and [stormwater discharge monitoring](#). The estimated processing time is 90 days, including 30-day public comment period. Please refer to the [Industrial Stormwater General Permit Fact Sheet](#) for additional information.



If the composting operation is proposed to be located on a municipality's existing Transfer Station site, that site should already have an existing registration under the Industrial Stormwater General Permit, and the addition of the composting activities would require revision of the existing SWPPP.

For additional information, please contact the Stormwater Program at DEEP.StormwaterStaff@ct.gov.

- IV. Land and Water Resource Division (Inland Wetlands and Watercourses) - If there is the potential for inland wetland soils on site to be impacted by the proposed activities, the wetland areas need to be delineated in order to determine [potential permitting requirements](#).

Any state agency or instrumentality, except a local or regional board of education, proposing to conduct any operation within or use of a wetland or watercourse involving the removal or deposition of material, or any obstruction, construction, alteration or pollution of such wetlands or watercourses must [apply to DEEP](#) for a license pursuant to the [CT Inland Wetlands and Watercourses Act](#) and a [Section 401 Water Quality Certificate \(WQC\) \(Non-tidal\)](#).

All other persons, including municipalities, proposing activities in or affecting wetlands or watercourses must obtain a permit from the municipal wetlands agency in the municipality wherein the proposed activity is located. Although local requirements vary between municipalities, typically an upland review area of 100-feet in width around any identified wetland or watercourse will fall under the review of the local wetland commission.

If construction will result in a direct discharge to wetlands that meet the definition of waters of the United States, a permit from the U.S. Army Corps of Engineers (USACE) is required. Coverage may be provided by the [USACE Section 404 General Permit](#), or an Individual USACE permit may be required, depending on the degree of disturbance. Additionally, such activities require a [401 WQC from DEEP](#). The typical processing time for USACE individual permit approval is 6 months, and the typical processing time for DEEP's individual 401 WQC is 6 to 12 months, depending on the complexity of the project site. Those activities covered by the USACE Regional General Permits for Connecticut can have shorter review times.

- V. Public Notice - Public Notice is required as a part of many permit processes and can be done concurrently for multiple permit applications. Information on the public noticing requirements pursuant to [CGS Section 22a-6g](#) and [CGS Section 22a-6h](#) and the Rules of Practice ([RCSA Section 22a-3a-1 through 6](#)) should be reviewed and provide information on the Notice of Tentative Determination, which has a public comment period of 30 days. There are fees associated with the publication of public notices.



VI. Other Considerations - Local/municipal review and permitting may be required, such as Planning and Zoning and wetlands. Local permits are not covered in this factsheet. Please contact the local planning office to ensure your project meets all local requirements.

Permit processing timelines are highly dependent on receiving an administratively and technically complete permit application. Therefore, DEEP recommends that you request a pre-application meeting before the application is submitted to ensure that your application package is properly completed at the time of submittal. During processing of your application, requests for information should be replied to promptly to expedite the processing of your application.

DEEP Air, Water, and Waste permit applications may be submitted concurrently. Public notice comment periods required by different permits may be coordinated. Construction and operation cannot begin until permits are obtained.

Additional links to DEEP's permit programs can be found at <https://portal.ct.gov/DEEP/Permits-and-Licenses/Permits-and-Licenses>.

This fact sheet is intended for informational purposes only based on the information available as of the date of its publication and does not represent a formal jurisdictional determination by which DEEP or any other permitting authority referenced will be bound. Information contained in this fact sheet does not represent a comprehensive list of all permit requirements potentially applicable, which in most cases can only be determined on a site-specific basis. It is intended only to provide information on permits that may be required. Refer to the most current statutes, regulations, and public acts for specific language pertaining to each permit. It is your responsibility to comply with all applicable laws. Contact DEEP (DEEP.CONCIERGE@ct.gov) with questions regarding a specific site or project.

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