

Attachment I
Sludge Applier's Responsibilities

These conditions do not apply to material meeting conditions at 13 e and f of the permit. The person who applies bulk sewage sludge shall comply with the following requirements:

General Requirements:

1. Bulk sewage sludge shall not be applied to the land except in accordance with 40 C.F.R. Part 503 Subpart B.
2. Bulk sewage sludge shall not be applied if any of the cumulative pollutant loading rates in Paragraph 13. g. vii. have been reached on the site.
3. The person who applies the bulk sewage sludge shall obtain notice and necessary information to comply with the requirements of 40 C.F.R. Part 503 Subpart B.
4. The person who applies the bulk sewage sludge shall obtain the following information:
 - a. Prior to application of bulk sewage sludge, the person who proposes to apply the bulk sewage shall contact the permitting authority for the state in which the bulk sewage sludge will be applied to determine whether bulk sewage sludge subject to the cumulative pollutant loading rates in § 503.13(b)(2) has been applied to the site since July 20, 1993.
 - b. If bulk sewage sludge subject to the cumulative pollutant loading rates has not been applied to the site, the cumulative amount for each pollutant listed in Paragraph 13. g. vii. may be applied.
 - c. If bulk sewage sludge subject to the cumulative pollutant loading rates has been applied to the site since July 20, 1993, and the cumulative amount of each pollutant applied to the site since that date is known, the cumulative amount of each pollutant applied to the site shall be used to determine the additional amount of each pollutant that can be applied to the site such that the loading rates in Paragraph 13. g. vii. are not exceeded.
 - d. If bulk sewage sludge subject to the cumulative pollutant loading rates has been applied to the site since July 20, 1993, and the cumulative amount of each pollutant applied to the site since that date is not known, an additional amount of any pollutant may not be applied to the site.
5. The person who applies the bulk sewage sludge shall provide the owner or lease holder of the land on which the bulk sewage sludge is applied notice and necessary information to comply with the requirements of 40 C.F.R. Part 503 Subpart B.
6. The person who applies the bulk sewage sludge shall provide written notice, prior to the initial application of the bulk sewage sludge, to the permitting authority for the State in which the bulk sewage sludge will be applied. The notice shall include:
 - a. The location, by either street address or latitude and longitude, of the land application site.
 - b. The name, address, telephone number, and National Pollutant Discharge Elimination System permit number (if appropriate) of the person who will apply the bulk sewage sludge.

Management Practices:

1. The person who applies the bulk sewage sludge to the land shall comply with the following management practices:

- a. The bulk sewage sludge shall not be applied to the land if it is likely to adversely affect a threatened or endangered species listed under section 4 of the Endangered Species Act, or its designated habitat.
- b. The bulk sewage sludge shall not be applied to agricultural land, forest land, a public contact site or a land reclamation site that is frozen, snow-covered, or flooded so that the bulk sewage sludge enters a wetland or other water of the United States as defined in 40 C.F.R. § 122.2, except as provided in a permit issued pursuant to section 402 or 404 of the Clean Water Act.
- c. Bulk sewage sludge shall not be applied to agricultural land, forest land, a public contact site, or a land reclamation site that is less than 10 meters (33 feet) from waters of the United States, as defined in 40 C.F.R. § 122.2.
- d. The whole sludge application rate shall be applied at an agronomic rate designed to (i) provide the amount of nitrogen needed by the crop or vegetation grown on the land; and (ii) minimize the amount of nitrogen that passes below the root zone for the crop or vegetation grown on the land into the groundwater.

Site Restrictions:

When Class B pathogen requirements are met, the person who applies the bulk sewage sludge shall insure that the following site restrictions are met for each site on which the bulk sewage sludge is applied:

1. Food crops with harvested parts that touch the sewage sludge/soil mixture and are not totally above the land surface shall not be harvested for 14 months after application of sewage sludge.
2. Food crops with harvested parts below the surface of the land shall not be harvested for 20 months after application of sewage sludge when the sewage sludge remains on the land surface for four months or longer prior to incorporation into the soil.
3. Food crops with harvested parts below the surface of the land shall not be harvested for 38 months after application of sewage sludge when the sewage sludge remains on the land surface for less than four months prior to incorporation into the soil.
4. Food crops, feed crops, and fiber crops shall not be harvested for 30 days after application of sewage sludge.
5. Animals shall not be allowed to graze on the land for 30 days after application of sewage sludge.
6. Turf grown on land where sewage sludge is applied shall not be harvested for one year after application of the sewage sludge when the harvested turf is placed on either land with a high potential for public exposure or a lawn.
7. Public access to land with a high potential for public exposure shall be restricted for one year after application of sewage sludge.
8. Public access to land with a low potential for public exposure shall be restricted for 30 days after application of sewage sludge.

Record keeping requirements:

1. The person who applies the bulk sewage sludge subject to the cumulative loading rate shall develop and retain the following information indefinitely:
 - a. The location, by either street address or latitude and longitude, of each site on which bulk sewage sludge is

applied.

- b. The number of hectares in each site on which bulk sewage sludge is applied.
- c. The date and time bulk sewage sludge is applied to each site.
- d. The cumulative amount of each pollutant listed in Paragraph 4a in the bulk sewage sludge applied to each site, including the amount in Paragraph 4 of the General Requirements portion of this section. (in kilograms)
- e. The amount of sewage sludge applied to each site (in metric tons).
- f. The following certification statement:

"I certify, under penalty of law, that the requirements to obtain information in § 503.12(e)(2) have been met for each site on which bulk sewage sludge is applied. This determination has been made under my direction and supervision in accordance with the system designed to ensure that qualified personnel properly gather and evaluate the information used to determine that the requirements to obtain information have been met. I am aware that there are significant penalties for false certification including fine and imprisonment."

- g. A description of how the requirements to obtain the information in Paragraph 4 (i through iv) [of this attachment] are met.
- 2. When 90 percent or more of any of the cumulative pollutant loading rates are reached, the person who applies the bulk sewage sludge shall report the information in Paragraphs 1 a through d of the Record keeping Requirements of this attachment annually on February 19. Reports shall be submitted to EPA at the address in the Monitoring and Reporting section of this permit.
 - 3. The person who applies the bulk sewage sludge shall develop and maintain the following information for five years:

- a. The following certification statement:

"I certify, under penalty of law, that the management practices in § 503.14 have been met for each site on which bulk sewage sludge is applied. This determination has been made under my direction and supervision in accordance with the system designed to ensure that qualified personnel properly gather and evaluate the information used to determine that the management practices have been met. I am aware that there are significant penalties for false certification including the possibility of fine and imprisonment."

- b. A description of how the management practices in the Management Practices Paragraph of this attachment are met for each site.
- c. When Class B pathogen requirements are met, the following certification statement:

"I certify, under penalty of law, that the site restrictions in § 503.32(b)(5), and have been met for each site on which bulk sewage sludge is applied. This determination has been made under my direction and supervision in accordance with the system designed to ensure that qualified personnel properly gather and evaluate the information used to determine that the management practices and site restrictions have been met. I am aware that there are significant penalties for false certification including the possibility of fine and imprisonment."

- g. A description of how the site restrictions in the Site Restrictions Paragraphs of this attachment are met for each site.