

EPA REGION I

NPDES PERMIT SLUDGE COMPLIANCE GUIDANCE

04 NOVEMBER 1999

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1. LAND APPLICATION

This section applies to sewage sludge from the permittee's facility which is applied to the land for the purpose of enriching the soil. The permittee should answer the following questions. The answers to these questions need to be evaluated to determine which permitting scenario for sewage sludge land application applies. After the permitting scenario is determined, the permittee must comply with the directives contained in the chosen scenario.

1.1 Question Algorithm

The permittee should review and answer the following questions. The information gathered from answering these questions will aid the permittee to determine the appropriate land application scenario which applies to the sludge generated at the permittee's waste water treatment facility. The scenario selected will detail which specific Use or Disposal of Sewage Sludge, Part 503, regulations must be complied with for the land application method used by the permittee.

1. What type of land is the sewage sludge being applied to?

If the sewage sludge/material is to be sold or given away, or applied to a lawn or home garden, the sewage sludge **MUST** meet Class A pathogen reduction requirements.

2. Is all the sludge generated at the facility used in the same manner?

If all the sludge is not used the same way, the permittee needs to determine what amounts are used in what manner. Different scenarios may apply to the different portions.

3. Is the sewage sludge in bulk or is it a bagged material?

Scenario No.1 and No.6 can be applied to bagged materials. All other scenarios apply to bulk sewage sludge only. Bulk material is an amount of sewage sludge greater than one metric ton (2200 lbs).

4. What is the metals content in the sewage sludge for the following metals: arsenic, cadmium, copper, lead, mercury, molybdenum, nickel, selenium, and zinc?

If any of the concentrations in Table 1 of 40 CFR §503.13 (b) (1) are exceeded on a dry weight basis, the sewage sludge cannot be land applied. Table 1 is summarized below:

§503.13 Table 1

Maximum Pollutant Concentrations

Arsenic	75 mg/kg
Cadmium	85 mg/kg
Copper	4300 mg/kg
Lead	840 mg/kg
Mercury	57 mg/kg
Molybdenum	75 mg/kg
Nickel	420 mg/kg
Selenium	100 mg/kg
Zinc	7500 mg/kg

5. Does the sludge qualify for “exceptional quality” criteria in accordance with Table 3, 40 CFR §503.13(b)(3) on a dry weight basis? Table 3 is summarized:

§503.13 Table 3

Exceptional Quality Pollutant Concentrations

Arsenic	41 mg/kg
Cadmium	39 mg/kg
Copper	1500 mg/kg
Lead	300 mg/kg
Mercury	17 mg/kg
Nickel	420 mg/kg
Selenium	100 mg/kg
Zinc	2800 mg/kg

In addition, Class A pathogen reduction (see Section 4), and achievement of one of the vector attraction reduction alternatives 1 through 8 (see Section 5) must be attained.

NOTHING ELSE QUALIFIES AS EXCEPTIONAL QUALITY

6. What is the level of pathogen reduction achieved, Class A or Class B?

Refer to Section 4, Pathogen Reduction, to select the appropriate method that is used to reduce the pathogens in the sewage sludge produced at the facility.

7. What is the method for vector attraction reduction?

Refer to Section 5, Vector Attraction Reduction, to select the appropriate method that is used to reduce the pathogens in the sewage sludge produced at the facility.

8. What is the amount of sewage sludge used in dry metric tons/365 day period?

This determines the frequency of monitoring (see Section 6) for the pollutants, pathogens and vectors. Use the table below to make the determination:

Sampling Frequency Table

SEWAGE SLUDGE PRODUCED (metric tons per 365 day period)	SAMPLING FREQUENCY
$0 < \text{Sludge (tons)} < 290$	Once Per year
$290 \leq \text{Sludge (tons)} < 1500$	Once Per Quarter (four times per year)
$1500 \leq \text{Sludge (tons)} < 15000$	Once Per 60 days (six times per year)
$\text{Sludge (tons)} \leq 15000$	Once Per Month (12 times per year)

1.2 Scenario Determination

After the information is gathered and evaluated from the questions in the preceding section, the permittee can select the appropriate land application scenario from the table on page 1.4.

Land Application Scenario Selection Table

SCENARIO	LAND TYPE	BULK/BAGGED	POLLUTANT LIMITS²	PATHOGENS³	VECTORS³
No .1	ANY TYPE	BOTH (EQ)	TABLE 3	CLASS A	1-8 ONLY
No .2	SEE BELOW ¹	BULK	TABLE 3	CLASS A	9 OR 10
No .3	SEE BELOW ¹	BULK	TABLE 3	CLASS B	1-10
No .4	SEE BELOW ¹	BULK	TABLE 2	CLASS A	1-10
No .5	SEE BELOW ¹	BULK	TABLE 2	CLASS B	1-10
No .6	ANY TYPE	BAGGED	TABLE 4	CLASS A	1-8 ONLY

1. Land types: Agricultural land, forest, reclamation site or public contact site
2. Refer to 40 CFR §503.13 Table 2, Table 3 and Table 4
3. The Pathogen Reduction Section (Section 4) and Vector Attraction Reduction Section (Section 5) are located after the Scenario section.

1.3. Scenarios

This section contains the sewage sludge land application scenarios. One of these scenarios has been selected by the permittee, based on reading and answering the questions in Section 1.2, to regulate their treatment facility’s sewage sludge land application.

1.3.1. Scenario No. 1

This applies to bulk or bagged sewage sludge and materials derived from sewage sludge meeting the pollutant concentrations at §503.13(b)(3); one of the Class A pathogen reduction alternatives at §503.32(a); one of the vector attraction reduction requirements at §503.33(b)(1) through (b)(8). Materials meeting these characteristics are considered “Exceptional Quality” materials and are exempt from the general requirements at §503.12 and the management practices at §503.14. Sludges of this quality may be applied to any type of land.

SLUDGE CONDITIONS

1. Pollutant Limitations

- a. The maximum concentrations of metals in the sewage sludge that is applied to the land shall not exceed the following (dry weight basis):

Arsenic	75 mg/kg
Cadmium	85 mg/kg
Copper	4300 mg/kg
Lead	840 mg/kg
Mercury	57 mg/kg
Molybdenum	75 mg/kg
Nickel	420 mg/kg
Selenium	100 mg/kg
Zinc	7500 mg/kg

- b. The sewage sludge shall not be applied to the land if any of the pollutant concentrations in Paragraph 1a. are exceeded.
- c. The monthly average concentration of metals in the sewage sludge shall not exceed the following (dry weight basis):

Arsenic	41 mg/kg
Cadmium	39 mg/kg
Copper	1500 mg/kg
Lead	300 mg/kg
Mercury	17 mg/kg
Nickel	420 mg/kg
Selenium	100 mg/kg
Zinc	2800 mg/kg

2. The permittee shall meet Class A pathogen requirements utilizing one of the methods specified in 40 CFR §503.32.
3. The permittee shall meet one of the vector attraction reduction requirements specified in 40CFR §503.33. The permittee may only utilize alternatives 1 through 8. If the permittee meets one of the vector attraction reduction alternatives 1 through 5, the Class A pathogen requirements must be met either prior to or at the same time as the vector attraction reduction requirement.
4. The permittee shall monitor the sewage sludge for the pollutants in Paragraph 1a, the pathogen density and the vector attraction reduction requirements at the frequency specified in sludge condition 6 of the permit.
5. The permittee shall develop and retain the following information for five years:
 - a. The concentration of each pollutant listed in Paragraph 1a..
 - b. The following certification statement:

“I certify, under penalty of law, that the information that will be used to determine compliance with the Class A pathogen requirements in §503.32(a) and the vector attraction reduction requirements in [insert one of the vector attraction reduction requirements in §503.33(b)(1) through (b)(8)] was prepared under my direction and supervision in accordance with the system designed to ensure that qualified personnel properly gather and evaluate this information. I am aware that there are significant penalties for false certification including the possibility of fine and imprisonment.”
 - c. A description of how the Class A pathogen requirements are met.
 - d. A description of how the vector attraction reduction requirements are met.
6. The permittee shall report the information in Paragraphs 5a, b, c, and d annually on February 19. Reports shall be submitted to EPA at the address in the Monitoring and Reporting section of this permit.
7. All sewage sludge sampling and analysis procedures shall be in accordance with the procedures detailed in 40 CFR §503.8.

1.3.2. Scenario No.2

This scenario applies to bulk sewage sludge or materials derived from bulk sewage sludge meeting the following criteria: the pollutant concentrations in §503.13(b)(3); Class A pathogen requirements in §503.32(a); and vector attraction §503.33(b)(9) or (b)(10). Sludge of this quality

may be applied to agricultural land, forest land, public contact site or reclamation site. This scenario has specific requirements for the preparer and the applier.

SLUDGE CONDITIONS

1. The permittee and the applier of the bulk sewage sludge shall comply with the following general requirements:
 - a. Bulk sewage sludge shall not be applied the land except in accordance with 40 CFR Part 50J, Subpart B.
 - b. The permittee shall provide the person who applies the bulk sewage sludge written notification of the concentration of total nitrogen (as N on a dry weight basis) in the bulk sewage sludge.
 - c. The person who applies the bulk sewage sludge shall obtain notice and necessary information from the permittee to comply with the requirements of 40 CFR Part 503, Subpart B.
 - d. When the permittee provides the bulk sewage sludge to a person who applies the bulk sewage sludge, the permittee shall provide the person who applies the bulk sewage sludge notice and necessary information to comply with 40 CFR part 503, Subpart B.
 - e. When the permittee provides the bulk sewage sludge to a person who prepares the bulk sewage sludge the permittee shall provide the preparer notice and necessary information to comply with 40 CFR Part 503, Subpart B.
 - f. 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 40 CFR Part 503, Subpart B.
 - g. When bulk sewage sludge is applied in another state, the person who prepares the sewage sludge shall provide notice to the permitting authority for the state in which the sewage sludge will be applied. Notice shall be given prior to the initial application and shall contain the following information:
 - i. The location of each site by either street address or latitude and longitude.
 - ii. The approximate period of time the bulk sewage sludge will be applied to each site.

- iii. The name, address, telephone number and National Pollutant Discharge Elimination System permit number (if applicable) for the person who prepares the bulk sewage sludge.
- iv. The name, address, telephone number, and National Pollutant Discharge Elimination System permit number (if applicable) for the person who applies the bulk sewage sludge.

2. Pollutant Limitations

- a. The maximum concentration of metals in the sewage sludge that is applied to the land shall not exceed the following (dry weight basis):

Arsenic	75 mg/kg
Cadmium	85 mg/kg
Copper	4300 mg/kg
Lead	840 mg/kg
Mercury	57 mg/kg
Molybdenum	75 mg/kg
Nickel	420 mg/kg
Selenium	100 mg/kg
Zinc	7500 mg/kg

- b. The sewage sludge shall not be applied to the land if any of the pollutant concentrations in Paragraphs 2a are exceeded.
- c. The monthly average concentration of metals in the sewage sludge shall not exceed the following (dry weight basis):

Arsenic	41 mg/kg
Cadmium	39 mg/kg
Copper	1500 mg/kg
Lead	300 mg/kg
Mercury	17 mg/kg

Nickel	420 mg/kg
Selenium	100 mg/kg
Zinc	2800 mg/kg

3. The permittee shall meet Class A pathogen requirements utilizing one of the methods specified in 40 CFR §503.32
4. The person who applies the bulk sewage sludge shall meet either vector attraction reduction requirement 9 or 10 as specified in 40 CFR §503.33.
5. The bulk sewage sludge shall be injected below the surface of the land, or incorporated into the soil within 8 hours after discharge from the pathogen treatment process.
6. The permittee shall monitor the sewage sludge for the pollutants in Paragraph 2a and the pathogen density requirements at the frequency specified in sludge condition 6 of the permit.
7. 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 CFR §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, and public contact site, or land reclamation site that is less than 10 meters (33 feet) from waters of the United States, as defined in 40 CFR §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 of the land into the groundwater.

8. The permittee shall develop and retain the following information for five years:
 - a. The pollutant concentration for each pollutant listed in Paragraph 2a. of this section.
 - b. The following certification statement:

“I certify, under penalty of law, that the information that will be used to determine compliance with the Class A pathogen requirements in §503.32 (a) was prepared under my direction and supervision in accordance with the system designed to ensure that qualified personnel properly gather and evaluate this information. I am aware that there are significant penalties for false certification including the possibility for fine and imprisonment.”
 - c. A description of how the pathogen requirements are met.
9. The person who applies the bulk sewage sludge shall develop and retain the following information for five years:
 - a. The following certification requirement:

“I certify, under penalty of law, that the information that will be used to determine compliance with the management practices in §503.14 and the vector attraction reduction requirement in [insert either §503.33 (b)(9) or (b)(10)] was prepared under my direction and supervision in accordance with the system designed to ensure that qualified personnel properly gather and evaluate this information. I am aware that there are significant penalties for false certification including fine and imprisonment.”
 - b. A description of how the management practices in §503.14 are met for each site on which the bulk sewage sludge is applied.
 - c. A description of how the vector attraction reduction requirements are met for each site on which bulk sewage sludge is applied, including a description of how the requirement in Paragraph 5 is met.
10. The permittee shall report the information in paragraphs 8a, b and c annually on February 19. Reports shall be submitted to EPA at the address in the Monitoring and Reporting section of this permit.
11. All sludge sampling and analysis shall be in accordance with the procedures detailed in 40 CFR §503.8.

12. The permittee shall supply the following information/requirements to the person who applies the bulk sewage sludge:
 - a. Information in Paragraph 1b.
 - b. Requirements in Paragraphs 1f and 5.
 - c. Management Practices in Paragraphs 7a through d.
 - d. Record keeping requirements in Paragraphs 9a through c.

13. If the permittee intends to apply sludge to land application sites not identified at the time of permit issuance, the permittee shall submit a land application plan 180 days prior to initial application at the new site. The plan shall:
 - a. Describe the geographic area covered by the plan;
 - b. Identify site selection criteria;
 - c. Describe how sites will be managed; and
 - d. Provide for advance public notice as required by state and local laws, and notice to landowners and occupants adjacent to or abutting the proposed land application site.

1.3.3. Scenario No. 3

This scenario applies to bulk sewage sludge meeting the following criteria: pollutant concentrations at §503.13(b); Class B pathogens at §503.32(b); and one of the vector attraction reduction requirements found at §503.33(b). Bulk sewage sludge of this quality may be applied to agricultural land, forest land, public contact site or a reclamation site. There are specific requirements for the preparer and applier.

SLUDGE CONDITIONS

1. The permittee and the applier of the bulk sewage sludge shall comply with the following general requirements:
 - a. Bulk sewage sludge shall not be applied to the land except in accordance with 40 CFR Part 503 Subpart B.
 - b. The permittee shall provide the person who applies the bulk sewage sludge written notification of the concentration of total nitrogen (as N on a dry weight basis) in the bulk sewage sludge.
 - c. The person who applies the bulk sewage sludge shall obtain notice and necessary information from the permittee to comply with the requirements of 40 CFR Part 503 Subpart B.

- d. When the permittee provides the bulk sewage sludge to a person who applies the bulk sewage sludge, the permittee shall provide the person who applies the bulk sewage notice and necessary information to comply with the requirements of 40 CFR Part 503 Subpart B.
- e. When the permittee provides the bulk sewage sludge to a person who prepares the bulk sewage sludge, the permittee shall provide the person who prepares the bulk sewage sludge notice and necessary information to comply with the requirements of 40 CFR Part 503 Subpart B.
- f. 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 CFR Part 503 Subpart B.
- g. When bulk sewage sludge is applied in another state, the person who prepares the sewage sludge shall provide notice to the permitting authority for the state in which the sewage sludge will be applied. Notice shall be given prior to the initial application and shall contain the following information:
 - i. The location of each site by either street address or latitude and longitude.
 - ii. The approximate period of time the bulk sewage sludge will be applied to each site.
 - iii. The name, address, telephone number and National Pollutant Discharge Elimination System permit number (if applicable) for the person who prepares the bulk sewage sludge.
 - iv. The name, address, telephone number, and national Pollutant Discharge Elimination System permit number (if applicable) for the person who applies the bulk sewage sludge.

2. Pollutant Limitations

- a. The maximum concentration of metals in the sewage sludge that is applied to the land shall not exceed the following (dry weight basis):

Arsenic	75 mg/kg
Cadmium	85 mg/kg
Copper	4300 mg/kg

Lead	840 mg/kg
Mercury	57 mg/kg
Molybdenum	75 mg/kg
Nickel	420 mg/kg
Selenium	100 mg/kg
Zinc	7500 mg/kg

- b. The sewage sludge shall not be applied to the land if any of the pollutant concentrations in Paragraph 2a are exceeded
- c. The monthly average concentration of metals in the sewage sludge shall not exceed the following (dry weight basis):

Arsenic	41 mg/kg
Cadmium	39 mg/kg
Copper	1500 mg/kg
Lead	300 mg/kg
Mercury	17 mg/kg
Nickel	420 mg/kg
Selenium	100 mg/kg
Zinc	2800 mg/kg

- 3. The permittee shall meet Class B pathogen requirements utilizing one of the methods specified in 40CFR §503.32
- 4. The permittee shall meet one of vector attraction reduction requirements specified in 40CFR §503.33
- 5. The permittee shall monitor the sewage sludge for the pollutants in Paragraph 2a, the pathogen density requirements and the vector attraction reduction requirements at the frequency specified in sludge condition 6 of the permit.
- 6. 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 CFR 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 CFR §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 of the land into the groundwater.
7. 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:
- a. 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.
 - b. 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.
 - c. 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 soil.
 - d. Food crops, feed crops, and fiber crops shall not be harvested for 30 days after application of sewage sludge.
 - e. Animals shall not be grazed on the land for 30 days after application of sewage sludge.

- f. 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 high potential for public exposure or a lawn.
 - g. Public access to land with a high potential for public exposure shall be restricted for one year after application of sewage sludge.
 - h. Public access to land with a low potential for public exposure shall be restricted for 30 days after application of sewage sludge.
8. The permittee shall develop and retain the following information for five years:
- a. The concentration of each pollutant listed in Paragraph 2a of this section.
 - b. The following certification statement:

 “I certify, under penalty of law, that the information that will be used to determine compliance with the Class B pathogen requirement in §503.32(b) and the vector attraction reduction requirement in [insert one of the vector attraction reduction requirements in §503.33 (b)(1) through (b)(8), if one of those requirements is met] was prepared under my direction and supervision in accordance with the system designed to ensure that qualified personnel properly gather and evaluate this information I am aware that there are significant penalties for false certification including the possibility of fine or imprisonment.”
 - c. A description of how the Class B pathogen requirements are met.
 - d. When the permittee is responsible for meeting the vector attraction reduction requirements, a description of how the vector attraction reduction requirements are met.

9. 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 information that will be used to determine compliance with the management practices in §503.14, the site restrictions in §503.32(b)(5), and the vector attraction reduction requirements in [insert either §503.33(b)(9) or (b)(10), if one of those requirements is met] was prepared for each site on which sewage sludge is applied under my direction and supervision in accordance with the system designed to ensure that qualified personnel properly gather and evaluate this information. 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 Paragraphs 6a through d are met for each site.
 - c. A description of how the site restrictions in Paragraphs 7a through h are met for each site.
 - d. When the applier is responsible for meeting the vector attraction reduction requirements, a description of how the vector attraction reduction requirements in either §503.33(b)(9) or (b)(10) is met.
10. The permittee shall report the information in Paragraph 8a, b, c and d annually on February 19. Reports shall be submitted to the address in the Monitoring and Reporting section of this permit.
 11. All sludge sampling and analysis shall be in accordance with the procedures detailed in 40CFR §503.8
 12. The permittee shall notify the person who applies the bulk sewage sludge of the following information/requirements:
 - a. Information in Paragraph 1b.
 - b. Requirement in Paragraph 1f.
 - c. Management practices in Paragraph 6a through d.
 - d. Site Restrictions in Paragraph 7a through h.
 - e. Record keeping requirements in Paragraphs 9a through d.
 13. If the permittee intends to apply sludge to land application sites not identified at the time of permit issuance, the permittee shall submit a land application plan 180 days prior to initial application at the new site. The plan shall:
 - a. Describe the geographic area covered by the plan;
 - b. Identify site selection criteria;
 - c. Describe how sites will be managed; and
 - d. Provide for advance public notice as required by state and local laws, and notice to landowners and occupants adjacent to or abutting the proposed land application site.

1.3.4. Scenario No. 4

This scenario applies to bulk sewage sludge meeting the following criteria: pollutant concentrations at §503.13(b)(2); Class A pathogen requirements at §503.32(a); and one of the

vector attraction reduction requirement found at §503.33(b). Bulk sewage sludge of this quality may be applied to agricultural land, forest land, public contact site or a reclamation site. There are specific requirements for the preparer and the applier.

SLUDGE CONDITIONS

1. The permittee and the applier of the bulk sewage sludge shall comply with the following general requirements:
 - a. Bulk sewage sludge shall not be applied to the land except in accordance with 40 CFR Part 503 Subpart B.
 - b. Bulk sewage sludge shall not be applied if any of the cumulative pollutant loading rates in Paragraph 2c have been reached on the site.
 - c. The permittee shall provide the person who supplies the bulk sewage sludge written notification of the concentration of total nitrogen (as N on a dry weight basis) in the bulk sewage sludge.
 - d. The person who applies the bulk sewage sludge shall obtain notice and necessary information to comply with the requirements of 40 CFR Part 503 Subpart b.
 - e. The person who applies the bulk sewage sludge shall obtain the following information:
 - i. Prior to the 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.
 - ii. 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 2c may be applied.
 - iii. 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 2c are not exceeded.
 - iv. 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.

- f. When the permittee provides the bulk sewage sludge to a person who applies the bulk sewage sludge, the permittee shall provide the person who applies the bulk sewage notice and necessary information to comply with the requirements of 40 CFR Part 503 Subpart B.
- g. When the permittee provides the bulk sewage sludge to a person who prepares the bulk sewage sludge, the permittee shall provide the person who prepares the bulk sewage sludge notice and necessary information to comply with the requirements of 40 CFR Part 503 Subpart B.
- h. 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 CFR Part 503 Subpart B.
- i. When the bulk sewage sludge is applied in another state, the person who prepares the sewage sludge shall provide notice to the permitting authority for the state in which the sewage sludge will be applied. Notice shall be given prior to the initial application and shall contain the following information:
 - i. The location of each site by either street address or latitude and longitude.
 - ii. The approximate period of time the bulk sewage sludge will be applied to each site.
 - iii. The name, address, telephone number and National Pollutant Discharge Elimination System permit number (if applicable) for the person who prepares the bulk sewage sludge.
 - iv. The name, address, telephone number, and National Pollutant Discharge Elimination System permit number (if applicable) for the person who applies the bulk sewage sludge.
- j. 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:
 - i. The location, by either street address or latitude and longitude, of the land application site.

- ii. 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.

2. Pollutant limitations

- a. The maximum concentration of metal in the sewage sludge that is applied to the land shall not exceed the following (dry weight basis):

Arsenic	75 mg/kg
Cadmium	85 mg/kg
Copper	4300 mg/kg
Lead	840 mg/kg
Mercury	57 mg/kg
Molybdenum	75 mg/kg
Nickel	420 mg/kg
Selenium	100 mg/kg
Zinc	7500 mg/kg

- b. The sewage sludge shall not be applied to the land if any of the pollutant concentrations in Paragraph 2a are exceeded.
- c. The cumulative pollutant loading rates for each site shall not exceed the following (kilograms per hectare):

Arsenic	41 kilograms/hectare
Cadmium	39 kilograms/hectare
Copper	1500 kilograms/hectare
Lead	300 kilograms/hectare
Mercury	17 kilograms/hectare
Nickel	420 kilograms/hectare
Selenium	100 kilograms/hectare
Zinc	2800 kilograms/hectare

- d. Bulk sewage sludge shall not be applied to a site on which any of the cumulative pollutant loading rates have been reached.
3. The permittee shall meet Class A pathogen requirements utilizing one of the methods specified in 40CFR §503.32
4. The permittee shall meet one of the vector attraction reduction requirements specified in 40CFR §503.33. The permittee may only utilize alternatives 1 through 8. If the permittee meets one of the vector attraction reduction alternatives 1 through 5, the Class A pathogen requirements must be met either prior to or at the same time as the vector attraction reduction requirement.
5. The permittee shall monitor the sewage sludge for the pollutants in Paragraph 2a, the pathogen density requirements and the vector attraction reduction requirements at the frequency specified in sludge condition 6 of the permit.
6. 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 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 CFR §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 CFR §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 passed below the root zone for the crop or vegetation grown on the land into the groundwater.
 - e. The permittee shall develop and maintain the following information for five years:
 - f. The concentration of each pollutant listed in paragraph 2a in the bulk sewage sludge.

g. The following certification statement:

“I certify, under penalty of law, that the information that will be used to determine compliance with the Class A pathogen requirement in §503.32(a) and the vector attraction reduction requirement in [insert one of the vector attraction reduction requirements in §503.33(b)(1) through (b)(8), if one of the those requirements is met] was prepared under my direction and supervision in accordance with the system designed to ensure that qualified personnel properly gather and evaluate this information. I am aware that there are significant penalties for false certification including the possibility of fine or imprisonment.”

h. A description of how the Class A pathogen requirements are met.

i. When the permittee is responsible for meeting the vector attraction reduction requirements, a description of how the vector attraction reduction requirements are met.

7. The person who applies the bulk sewage sludge 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 bulk sewage sludge is applied to each site.

d. The cumulative amount of each pollutant listed in Paragraph 2a in the bulk sewage sludge applied to each site, including the amount in Paragraph 1e(iii) 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 information that will be used to determine compliance with the requirements to obtain information in §503.12(e)(2) {Paragraphs 1e (i) through iv) of this permit} was prepared for each site on which sewage sludge was applied under my direction and supervision in accordance with the system designed to ensure that qualified personnel properly gather and evaluate this information. 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 1e

(i through iv) are met.

8. 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 information that will be used to determine compliance with the management practices in §503.14 was prepared for each site on which sewage sludge was applied my direction and supervision in accordance with the system designed to ensured that qualified personnel properly gather and evaluate this information. 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 Paragraphs 6a through d are met for each site.
 - c. When the applier is responsible for meeting the vector attraction reduction requirements, the following certification statement:

“I certify, under penalty of law, that the information that will be used to determine compliance with the vector attraction reduction requirement in [insert either §503.33(b)(9) or (b)(10)] was prepared under my direction and supervision in accordance with the system designed to endure that qualified personnel properly gather and evaluate this information. I am aware that there are significant penalties for false certification including the possibility of fine and imprisonment.”
 - d. When the applier is responsible for meeting the vector attraction reduction requirements, a description of how the vector attraction reduction requirement in either §503.33(b)(9) or (b)(10) is met.
 - e. The permittee shall report the information in Paragraphs 7a, b, c and d annually on February 19. Reports shall be submitted to EPA at the address in the Monitoring and Reporting section of this permit.
9. 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 10a through d annually on February 19. Reports shall be submitted to EPA at the address in the Monitoring and Reporting section of this permit.
10. All sludge sampling and analysis shall be in accordance with the procedures detailed in 40CFR §503.8.

11. The permittee shall notify the applier of the following information/requirements:
 - a. Requirements in paragraphs 1b, 1d, 1e, 1j, 2c and 2d.
 - b. Information in Paragraph 1c.
 - c. The management practices in Paragraphs 6a through d.
 - d. Record keeping requirements in Paragraph 8a through g and Paragraphs 9a through d.
 - e. Reporting requirements in Paragraph 11.

12. If the permittee intends to apply sludge to land application sites not identified at the time of permit issuance, the permittee shall submit a land application plan 180 days prior to initial application at the new site. The plan shall:
 - a. Describe the geographic area covered by the plan;
 - b. Identify site selection criteria;
 - c. Describe how sited will be managed; and
 - d. Provide for advance public notice as required by state and local laws, and notice to landowners and occupants adjacent to or abutting the proposed land application site.

1.3.5 Scenario No.5

This scenario applies to bulk sewage sludge meeting the following criteria: pollutant concentrations at §503.13(b)(2); Class B pathogen requirements at §503.32(b); and one of the vector attraction reduction requirements found at §503.33(b). Bulk sewage sludge of this quality may be applied to agricultural land, forest land, public contact site or a reclamation site. There are specific requirements for the preparer and the applier.

SLUDGE CONDITIONS

1. The permittee and the applier of the bulk sewage sludge shall comply with the following general requirements:
 - a. Bulk sewage sludge shall not be applied to the land except in accordance with 40 CFR Part 503 Subpart B.
 - b. Bulk sewage sludge shall not be applied if any of the cumulative pollutant loading rates in Paragraph 2c have been reached on the site.
 - c. The permittee shall provide the person who applies the bulk sewage sludge written notification of the concentration of total nitrogen (as N on a dry weight basis) in the bulk sewage sludge.
 - d. The person who applies the bulk sewage sludge shall obtain notice and necessary

information to comply with the requirements of 40 CFR Part 503 Subpart B.

- e. The person who applies the bulk sewage sludge shall obtain the following information:
 - i. Prior to application of bulk sewage sludge, the person who propose 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.
 - ii. 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 2c may be applied.
 - iii. 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 2c are not exceeded.
 - iv. 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.
- f. When the permittee provides the bulk sewage sludge to a person who applies the bulk sewage sludge, the permittee shall provide the person who applies the bulk sewage notice and necessary information to comply with the requirements of 40 CFR Part 503 Subpart B.
- g. When the permittee provides the bulk sewage sludge to a person who prepares the bulk sewage sludge, the permittee shall provide the person who prepares the bulk sewage sludge notice and necessary information to comply with the requirements of 40 CFR Part 503 Subpart B.
- h. 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 CFR Part 503 Subpart B.
- i. When bulk sewage sludge is applied in another state, the person who prepares the

sewage sludge shall provide notice to the permitting authority for the state in which the sewage sludge will be applied. Notice shall be given prior to the initial application and shall contain the following information:

- i. The location of each site by either street address or latitude and longitude.
 - ii. The approximate period of time the bulk sewage sludge will be applied to each site.
 - iii. The name, address, telephone number and National Pollutant Discharge Elimination System permit number (if applicable) for the person who prepares the bulk sewage sludge.
 - iv. The name, address, telephone number and National Pollutant Discharge Elimination System permit number (if applicable) for the person who applies the bulk sewage sludge.
- j. 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:
- i. The location, by either street address or latitude and longitude, of the land application site.
 - ii. 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.

2. Pollutant limitations

- a. The maximum concentration of metals in the sewage sludge that is applied to the land shall not exceed the following (dry weight basis):

Arsenic	75 mg/kg
Cadmium	85 mg/kg
Copper	4300 mg/kg
Lead	840 mg/kg
Mercury	57 mg/kg
Molybdenum	75 mg/kg

Nickel	420 mg/kg
Selenium	100 mg/kg
Zinc	7500 mg/kg

- c. The sewage sludge shall not be applied to the land if any of the pollutant concentration in Paragraph 2a are exceeded.
- d. The cumulative pollutant loading rates for each site shall not exceed the following (kilograms per hectare):

Arsenic	41 kilograms/hectare
Cadmium	39 kilograms/hectare
Copper	1500 kilograms/hectare
Lead	300 kilograms/hectare
Mercury	17 kilograms/hectare
Nickel	420 kilograms/hectare
Selenium	100 kilograms/hectare
Zinc	2800 kilograms/hectare

- d. Bulk sewage sludge shall not be applied to a site on which any of the cumulative pollutant loading rates have been reached.
3. The permittee shall meet Class B pathogen requirements utilizing one of the methods specified in 40 CFR §503.32
 4. The permittee shall meet one of vector attraction reduction requirements specified in 40 CFR §503.33
 5. The permittee shall monitor the sewage sludge for the pollutants in Paragraph 2a, the pathogen density requirements and the vector attraction reduction requirements at the frequency specified in sludge condition 6 of the permit.
 6. 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:
 - a. 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.

- b. 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.
 - c. 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.
 - d. Food crops, feed crops, and fiber crops shall not be harvested for 30 days after application of sewage sludge.
 - e. Animals shall not be grazed on the land for 30 days after application of sewage sludge.
 - f. 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.
 - g. Public access to land with a high potential for public exposure shall be restricted for one year after application of sewage sludge.
 - h. Public access to land with a low potential for public exposure shall be restricted for 30 days after application of sewage sludge.
7. 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 CFR §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 CFR §122.2.

- d. The whole sludge application rate shall be applied at an agronomic rate designated to (i) provide the amount of nitrogen needed by the crop or vegetation grown on that land; and (ii) minimize the amount of nitrogen that passes below the root zone for the crop or vegetation grown of the land into the groundwater.
8. The permittee shall develop and maintain the following information for five years:
- a. The concentration of each pollutant listed in Paragraph 2a in the bulk sewage sludge.
 - b. The following certification statement:

“I certify, under penalty of law, that the information that will be used to determine compliance with the Class B pathogen requirement in §503.32(b) and the vector attraction reduction requirement in [insert one of the vector attraction reduction requirements in §503.33(b)(1) through (b)(8), if one of those requirements is met] was prepared under my direction and supervision in accordance with the system designed to ensure that qualified personnel properly gather and evaluate this information. I am aware that there are significant penalties for false certification including the possibility fo fine or imprisonment.”
 - c. A description of how the Class B pathogen requirements are met.
 - d. When the permittee is responsible for meeting the vector attraction reduction requirements, a description of how the vector attraction reduction requirements are met.
9. The person who applies the bulk sewage sludge shall develop and retain the following information indefinitely:
- a. The location, by either street address of 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 bulk sewage sludge is applied to each site.

- d. The cumulative amount of each pollutant listed in Paragraph 2a in the bulk sewage sludge applied to each site, including the amount in Paragraph 1e(iii) 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 information that will be used to determine compliance with the requirement to obtain information in §503.12(e)(2){Paragraphs 1e (i through iv) of this permit.} was prepared for each site on which bulk sewage sludge was applied under my direction and supervision in accordance with the system designed to ensure that qualified personnel properly gather and evaluate this information. I am aware that there are significant penalties for false certification including fine and imprisonment.”

- g. A description of how the requirements to obtain information Paragraphs 1.e. (i through iv) are met.

10. 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 information that will be used to determine compliance with the management practices in §503.14 was prepared for each site on which bulk sewage sludge was applied under my direction and supervision in accordance with the system designed to ensure that qualified personnel properly gather and evaluate this information. 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 Paragraphs 7a through d are met for each site.

- c. The following certification statement:

“I certify, under penalty of law, that the information that will be used to determine compliance with the site restriction in §503.32(b)(5) for each site on which Class B sewage sludge was applied was prepared under my direction and supervision in accordance with the system designed to ensure that qualified personnel properly gather and evaluate this information. I am aware that there are significant penalties for false certification including fine and imprisonment.”

- d. A description of how the site restrictions are met for each site.

- e. When the applier is responsible for meeting the vector attraction reduction requirements, the following certification statement:
- “I certify, under penalty of law, that the information that will be used to determine compliance with the vector attraction reduction requirement in [insert either §503.33(b)(9) or (b)(10)] was prepared under my direction and supervision in accordance with the system designed to ensure that qualified personnel properly gather and evaluate this information. I am aware that there are significant penalties for false certification including the possibility of fine and imprisonment.”
- f. When the applier is responsible for meeting the vector attraction reduction requirements, a description of how the vector attraction reduction requirement in either §503.33(b)(9) or (b)(10) is met.
11. The permittee shall report the information in Paragraphs 8a, b, c and annually on February 19. Reports shall be submitted to the address in the Monitoring and Reporting section of this permit.
12. 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 10a through d annually on February 19. Reports shall be submitted to EPA at the address in the Monitoring and Reporting section of this permit.
13. All sludge sampling and analysis shall be in accordance with the procedures detailed in 40 CFR §503.8
14. The permittee shall notify the applier of the following information/requirements:
- a. Requirements in Paragraphs 1b, 1d, 1e, 1j, 2c and 2d.
 - b. Information in Paragraph 1c.
 - c. The management practices in Paragraphs 7a through d.
 - d. The site restrictions in paragraphs 6a through h.
 - e. Record keeping requirements in Paragraph 9a through g and Paragraphs 10a through d.
 - f. Reporting requirements in Paragraph 12.
15. If the permittee intends to apply sludge to land application sites not identified at the time of permit issuance, the permittee shall submit a land application plan 180 days prior to initial application at the new site. The plan shall:

- a. Describe the geographic area covered by the plan;
- b. Identify site selection criteria;
- c. Describe how sites will be managed; and
- d. Provide for advance public notice as required by state and local laws, and notice to landowners and occupants adjacent to or abutting the proposed land application site.

1.3.6. Scenario No.6

This scenario applies to bagged materials sold or given away meeting the annual pollutant loading rates at §503.32(a); and one of the vector attraction reduction requirements at §503.33(b)(1) through (b)(8).

SLUDGE CONDITIONS

- 1. The permittee and the applier shall meet the following requirements:
 - a. The sewage sludge shall be applied in accordance with 40 CFR Part 503 Subpart B.
 - b. The person who applies the sewage sludge shall obtain the information needed to comply with 40 CFR Part 503 Subpart B.
 - c. When the permittee provides the sewage sludge to a person who prepares the sewage sludge, the permittee shall provide the person who prepares the sewage sludge notice and necessary information to comply with 40 CFR Part 503 Subpart B.
- 2. Pollutant Limitations
 - a. The maximum concentration of metals in the sewage sludge that is applied to the land shall not exceed the following (dry weight basis):

Arsenic	75 mg/kg
Cadmium	85 mg/kg
Copper	4300 mg/kg
Lead	840 mg/kg
Mercury	57 mg/kg
Molybdenum	75 mg/kg

Nickel	420 mg/kg
Selenium	100 mg/kg
Zinc	7500 mg/kg

- b. The sewage sludge shall not be applied to the land if any of the pollutant concentrations in Paragraphs 2a are exceeded.
- c. The product of the concentration of each pollutant in the sewage sludge and the annual whole sludge application rate for the sewage sludge shall not cause the annual pollutant loading rate for the pollutant loading rates are specified below (kilograms per hectare per 365 day period):

Arsenic	2.0
Cadmium	1.9
Copper	75
Lead	15
Mercury	0.85
Nickel	21
Selenium	5.0
Zinc	140

- d. The annual whole sludge application rate shall be determined in the following manner:
- i. Analyze a sample of the sewage sludge to determine the concentration for each pollutant listed in Paragraph 2a.
- ii. Using the pollutant concentrations from Paragraph 2d(i) and the annual pollutant loading rates from Paragraph 2c, calculate the annual whole sludge application rate using the following equation:

$$\text{AWSAR} = \frac{\text{APLR}}{C \times 0.001}$$

Where:

AWSAR = Annual whole sludge application rate in metric tons per

hectare per 365 day period (dry weight basis)

APLR = Annual pollutant loading rate in kilograms per hectare per 365 day period.

C = Pollutant concentration in milligrams per kilogram of total solids (dry weight basis)

0.001 = Conversion factor

iii The AWSAR for the sewage sludge is the lowest AWSAR calculated in Paragraph 2d(ii).

3. Label Requirements

a. Either a label shall be affixed to the bag or other container in which the sewage sludge is sold or given away or an information sheet shall be provided to any person who receives the sewage sludge.

b. The label information sheet shall contain the following information:

i. The name and address of the person who prepared the sewage sludge.

ii. A statement that application of sewage sludge to the land is prohibited except in accordance with the instructions on the label or information sheet.

iii. The annual whole sludge application rate which does not cause the annual pollutant loading rates in Paragraph 2c to be exceeded.

4. The permittee shall meet Class A pathogen requirements utilizing one of the methods specified in 40 CFR §503.32

5. The permittee shall meet one of the vector attraction reduction requirements specified in 40 CFR §503.33. The permittee may only utilize alternatives 1 through 8. If the permittee meets one of the vector attraction reduction alternatives 1 through 5, the Class A pathogen requirements must be met either prior to or at the same time as the vector attraction reduction requirement.

6. The permittee shall monitor the sewage sludge for the pollutants in Paragraph 2a, the pathogen density, and the vector attraction reduction requirement at the frequency specified in sludge condition 6 of the permit.

7. The permittee shall develop and retain the following information for five years:
 - a. The annual whole sludge application rate that does not cause the annual pollutant loading rates in Paragraph 2c to be exceeded.
 - b. The concentration of each pollutant in Paragraph 2a in the sewage sludge.
 - c. The following certification statement:

“I certify, under penalty of law, that the information that will be used to determine compliance with the management practice in §503.14(e), the Class A pathogen requirement in §503.32(a), and the vector attraction reduction requirement in [insert one of the vector attraction reduction requirements in §503.33(b)(1) through (b)(8)] was prepared under my direction and supervision in accordance with the system designed to ensure that qualified personnel properly gather and evaluate this information. I am aware that there are significant penalties for false certification including the possibility of fine or imprisonment.”
 - d. A description of how the Class A pathogen requirements are met.
 - e. A description of how the vector attraction reduction requirements are met.
8. The permittee shall report the information in Paragraphs 7a through e annually on February 19. Reports shall be submitted to EPA at the address in the Monitoring and Reporting Section of this permit.
9. All sewage sludge sampling and analysis procedures shall be in accordance with procedures detailed in 40 FR §503.8.

2. SURFACE DISPOSAL

This section applies to sewage sludge from the permittee's facility which is by surface disposed. The permittee should answer the following questions. The answer to these questions need to be evaluated to determine which permitting scenario for sewage sludge surface disposal applies. After the permitting scenario is determined, the permittee must comply with the directives contained in the chosen scenario. The permittee must also note the run-off from surface disposal units may be subject to stormwater regulations.

2.1 Question Algorithm

The permittee should review and answer the following questions. The information gathered from answering these questions will aid the permittee in determine the appropriate surface disposal scenario which applies to the sludge generated at the permittee's wastewater treatment facility. The scenario selected will detail which specific Use or Disposal of Sewage Sludge, Part 503, regulations must be complied with for the land application method used by the permittee.

1. Is the facility regulated under 40 CFR §503?

If the facility disposes of its sludge at a municipal solid waste landfill (MSWLF), 40 CFR §503 regulations do not apply. However, the permittee still has some responsibilities. Permit language is in Scenario No.4.

The 40 CFR §503 regulations also do not apply in the case of storage of sewage sludge. An EPA rule of thumb is sludge stored on the land for longer than two years is defined as surface disposal. If a permittee claims storage, or treatment, the permittee's facility must be specifically equipped to support sewage sludge storage. Further, the permittee must ultimately have a clear, final disposition for the sewage sludge.

2. Does the following situations exist at a permittee's active sewage sludge disposal unit?
 - a. The unit is located within 60 meters (200 feet) of a fault that has had displacement in the Holocene time (10,000 years);
 - b. A unit located in a unstable area; or
 - c. A unit located in a wetland without a Section 402 or 404 permit.

If any of these situations exist, the active sewage sludge unit should have closed by March 22, 1994. If the active sewage sludge disposal unit is still operating, but one of the previous situations does apply to the unit, that unit must be closed.

3. Can the permittee's sewage sludge disposal unit demonstrate they are designed to withstand seismic impacts? If this demonstration cannot be made, the unit must close. This demonstration should be made prior to permit issuance.
4. Does the facility have a liner and leachate collection system?

The liner must have a hydraulic conductivity of 1×10^{-7} centimeters per second or less. If the liner does not meet the specified hydraulic conductivity, the sludge disposal unit is regulated as an **unlined** sewage sludge disposal site. There are no pollutant limitations for lined units.

5. What is the distance from the property boundary to the boundary of the active sewage sludge unit? Use the tables below to determine appropriate pollutant limitations for units without a liner or leachate collection on a dry weight basis.

§503.23 TABLE 1
Active Unit Boundary is 150 Meters or More
From Property Boundary

Arsenic	73 mg/kg
Chromium	600 mg/kg
Nickel	420 mg/kg

§503.23 TABLE 2
Active Unit Boundary is Less Than 150 Meters
From Property Boundary

Distance (meters)	Pollutant Concentrations (mg/kg)		
	Arsenic	Chromium	Nickel
0<Distance<25	30	200	210
25<Distance<50	34	220	240
50<Distance<75	39	260	270
75<Distance<100	46	300	320
100<Distance<125	53	360	390
125<Distance<150	62	450	420

6. Does the facility cover the sewage sludge placed in the unit daily?

This practice is considered to achieve both pathogen reduction and vector attraction reduction. If a facility covers the sludge, the permittee must monitor for methane gas.

2.2. Scenario Determination

After the information is gathered and evaluated from the questions in the preceding section, the permittee can select the appropriate surface disposal scenario.

Surface Disposal Scenario Selection Table

SCENARIO	LINED/UNLINED	DISTANCE TO UNIT BOUNDARY
No.1	Unlined	<150m
No.2	Unlined	0 to 150m
No.3	Lined	NA
No.4	Disposed in Municipal Solid Waste Land Fill	NA

2.3. Scenarios

2.3.1. Scenario No.1

Active sewage sludge unit without a liner and leachate collection system with active sewage sludge unit boundary 150 meters or more from the property boundary.

SLUDGE CONDITIONS

1. The permittee and the owner/operator of an active sewage sludge unit shall comply with the following requirements:
 - a. Sewage sludge shall not be placed in an active sewage sludge unit unless the requirement of 40 CFR Part 503, Subpart C are met.
 - b. An active sewage sludge unit located within 60 meters of a fault that has had displacement in Holocene time; located in an unstable area; or located in a wetland, except as provided in a permit issued pursuant to Section 402 or 404 of the Clean Water Act, shall close by March 22, 1994, unless, in the case of an active sewage sludge unit located within 60 meters of a fault that has displacement in Holocene time, otherwise specified by the permitting authority.

- i. The owner/operator of an active sewage sludge unit shall submit a written closure and post closure plan to EPA 180 days prior to the date an active sewage sludge unit closes.
- ii. The closure plan shall consider the elements outlined in Section 6. If an element is not applicable, the owner/operator shall state the reasons in the plan.
- c. The owner of a surface disposal site shall provide written notification to the subsequent owner of the site that sewage sludge was placed on the site. The notice should include elements outlined in Section 7. A copy of the notification shall be submitted to the EPA.

2. Pollutant limitations

- a. The maximum concentration of pollutants in the sewage sludge placed in an active sewage sludge unit shall not exceed the following:

Arsenic	73 mg/kg
Chromium	600 mg/kg
Nickel	420 mg/kg

- b. Sewage sludge with metals concentrations which exceed the limitations in Paragraph 2a. shall not be placed in a surface disposal unit.

3. The permittee and the owner/operator shall comply with the following management practices:

- a. The sewage sludge shall not be placed on an active sewage sludge unit if it is likely to adversely affect a threatened or endangered species listed under Section 4 of the Endangered Species Act or its designated critical habitat.
- b. The run-off from an active sewage sludge unit shall be collected and disposed in accordance with applicable stormwater regulations.
- c. The run-off collection system for an active sewage sludge unit shall have the capacity to control run-off from a 24 hour - 25 year storm event.

- d.
 - i. When a daily cover is placed on an active sewage sludge unit, the concentration of methane gas in air in any structure within the surface disposal site shall not exceed 25 percent of the lower explosive limit, 1.25 percent by volume, for methane gas during the period that the sewage sludge unit is active.
 - ii. The concentration of methane gas in air at the property line of the surface disposal site shall not exceed the lower explosive limit, 5 percent by volume, for methane gas during the period that the sewage sludge unit is active.
- e.
 - i. When a final cover is placed on a sewage sludge unit at closure, and for three years after closure, the concentration of methane gas in air in any structure within the surface disposal site shall not exceed 25 percent by volume, for methane gas.
 - ii. The concentration of methane gas in air at the property line of the surface disposal site shall not exceed the lower explosive limit, 5 percent by volume, for methane gas for three years after the sewage sludge unit closes.
- f. A food crop, a feed crop, or a fiber crop shall not be grown on an active sewage sludge unit. The owner/operator of the sewage sludge unit must demonstrate to EPA that public health and the environment are protected from reasonably anticipated adverse effects of pollutants in sewage sludge when crops are grown on a sewage sludge unit.
- g. Animals shall not be grazed on an active sewage sludge unit. The owner/operator of the sewage sludge unit must demonstrate to EPA that public health and the environment are protected from reasonably anticipated adverse effects of pollutants in sewage sludge when animals are grazed on a sewage sludge unit.
- h. Public access to a surface disposal site shall be restricted for the period that the surface disposal site contains an active sewage sludge unit and for three years after the last sewage sludge unit closes.
- i.
 - i. Sewage sludge placed in an active sewage sludge unit shall not contaminate an aquifer.
 - ii. The permittee shall demonstrate that sewage sludge placed in an active sewage sludge unit does not contaminate an aquifer by either (1) submission of results of a groundwater monitoring program developed by a qualified groundwater scientist; or (2) submission of a certification by a

qualified groundwater scientist that the sewage sludge does not contaminate and aquifer.

4. The following conditions must be documented by the permittee and owner/operator:
 - a. An active sewage sludge unit shall not restrict the flow of a base flood.
 - b. If a surface disposal site is located in a seismic impact zone, an active sewage sludge unit shall be designated to withstand the maximum recorded horizontal ground level acceleration.
 - c. An active sewage sludge unit shall be located 60 meters or more from a fault that has displacement in Holocene time.
 - d. An active sewage sludge unit shall not be located in an unstable area.
 - e. An active sewage sludge unit shall not be located in a wetland.
5. If the active sewage sludge unit is not covered daily, the permittee shall meet either Class A or Class B pathogen reduction utilizing one of the methods in Section 4, and one of the vector attraction reduction requirements in Section 5.
6. The permittee shall monitor the sewage sludge for the pollutants in Paragraph 2, the pathogen density, and the vector attraction reduction requirements at the following frequency:

SEWAGE SLUDGE PRODUCED (metric tons per 365 day period)	SAMPLING FREQUENCY
$0 < \text{Sludge(tons)} < 290$	Once per year
$0 \leq \text{Sludge(tons)} < 1500$	Once per quarter (four times per year)
$1500 \leq \text{Sludge(tons)} < 15000$	Once per 60 days (six times per year)
$\text{Sludge(tons)} \leq 15000$	Once per Month (12 times per year)

7. When a daily cover is placed on an active sewage sludge unit, the air in the structures within a surface disposal site and at the property line of the surface disposal site shall be monitored continuously for methane gas during the time that the surface disposal site contains an active sewage sludge unit and for three years after the sewage sludge unit closes.

8. The permittee shall develop and retain the following information for five years:

a. The concentration for each pollutant listed in Paragraph 2a.

b. The following certification statement:

“I, certify, under penalty of law, that the information that will be used to determine compliance with the pathogen requirements in [insert §503.32(a), §503.32(b)(3) or §503.32(b)(4) when one of those requirements is met] and the vector attraction reduction requirements in [insert one of the vector attraction reduction requirements in §503.33(b)(1) through §503.33(b)(8) when one of those requirements is met] was prepared under my direction and supervision in accordance with the system designed to ensure that qualified personnel properly gather and evaluate this information. I am aware that there are significant penalties for false certification including that possibility of fine or imprisonment.”

c. A description of how the pathogen requirements are met.

d. When the permittee is responsible for the vector attraction reduction requirements, a description of how the vector attraction reduction requirements are met.

9. The owner/operator of the surface disposal site shall develop and retain the following information for five years:

a. The following certification statement:

“I certify, under penalty of law, that the information that will be used to determine compliance with the management practices in §503.24 and the vector attraction reduction requirement in [insert one of the requirements in §503.33(b)(9) through (b)(11) if one of those requirements is met] was prepared under my direct supervision in accordance with the system designed to ensure that qualified personnel properly gather and evaluate this information. 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 Paragraphs 3a through 3i are met.

c. Documentation that the requirements in Paragraphs 4a through 4e are met.

d. A description of how the vector attraction reduction requirements are met, if the owner/operator is responsible for vector attraction reduction requirements.

10. The permittee shall report the information in Paragraphs 7a through 7d annually on February 19. Reports shall be submitted to EPA at the address in the Monitoring and Reporting section of the permit.
11. All sewage sludge sampling and analysis procedures shall be in accordance with the procedures detailed in Section 7.
12. If the permittee is not the owner/operator of the surface disposal site, the permittee shall notify the owner/operator of the following:
 - a. The requirements in Paragraphs 1a through 1c;
 - b. The management practices in Paragraphs 3a through 3i;
 - c. The requirements in Paragraphs 4a through 4e;
 - d. The requirement in Paragraph 7; and
 - e. The record keeping requirements in Paragraph 9a through 9d.

2.3.2. Scenario No.2

Active sewage sludge unit without a liner and leachate collection system located less than 150 meters from the property line. The permittee is directed to §503.33 TABLE 2, Active Unit Boundary is Less Than 150 Meters From Property Boundary in order to determine the maximum concentrations pollutants for the appropriate distant to the units boundary.

SLUDGE CONDITIONS

1. The permittee and the owner/operator of an active sewage sludge unit shall comply with following requirements:
 - i. Sewage sludge shall not be placed in an active sewage sludge unit unless the requirement of 40 CFR Part 503, Subpart C are met.
 - ii. An active sewage sludge unit located within 60 meters of a fault that has had displacement in Holocene time; located in an unstable area; or located in a wetland, except as provided in a permit issued pursuant to Section 402 or 404 of the Clean Water Act, shall close by March 22, 1994, unless, in the case of an active sewage sludge unit located within 60 meters of a fault that has displacement in Holocene time, otherwise specified by the permitting authority.
 - i. The owner/operator of an active sewage sludge unit shall submit a written closure and post closure plan to EPA 180 days prior to the date an active sewage sludge unit closes.

ii The closure plan shall consider the elements outlined in Section 6. If an element is not applicable, the owner/operator shall state the reasons in the plan.

c. The owner of a surface disposal site shall provide written notification to the subsequent owner of the site that sewage sludge was placed on the site. The notice should include elements outlined in Section 7. A copy of the notification shall be submitted to the EPA.

2. Pollutant limitations

a. The maximum concentration of pollutant in the sewage sludge placed in an active sewage sludge unit shall not exceed the following:

§503.23 TABLE
Active Unit Boundary is Less Than 150 Meters
From Property Boundary

Distance (meters)	Pollutant concentrations (mg/kg)		
	Arsenic	Chromium	Nickel
0<Distance<25	30	200	210
25<Distance<50	34	220	240
50<Distance<75	39	260	270
75<Distance<100	46	300	320
100<Distance<125	53	360	390
125<Distance<150	62	450	420

b. Sewage sludge with metals concentrations which exceed the limitations in Paragraph 2a. shall not be placed in a surface disposal unit.

3. The permittee and the owner/operator shall comply with the following management practices:

a. The sewage sludge shall not be placed on an active sewage sludge unit if it is likely to adversely affect a threatened or endangered species listed under Section 4 of the Endangered Species Act or its designated critical habitat.

b. The run-off from an active sewage sludge unit shall be collected and disposed in accordance with applicable stormwater regulations.

- c. The run-off collection system for an active sewage sludge unit shall have the capacity to control run-off from a 24 hour - 25 year storm event.
- d.
 - i. When a daily cover is placed on an active sewage sludge unit, the concentration of methane gas in air in any structure within the surface disposal site shall not exceed 25 percent of the lower explosive limit, 1.25 percent by volume, for methane gas during the period that the sewage sludge unit is active.
 - 2. The concentration of methane gas in air at the property line of the surface disposal site shall not exceed the lower explosive limit, 5 percent by volume, for methane gas during the period that the sewage sludge unit is active.
- e.
 - i. When a final cover is placed on a sewage sludge unit at closure, and for three years after closure, the concentration of methane gas in air in any structure within the surface disposal site shall not exceed 25 percent of the lower explosive limit, 1.25 percent by volume, for methane gas.
 - 2. The concentration of methane gas in air at the property line of the surface disposal site shall not exceed the lower explosive limit, 5 percent by volume, for methane gas for three years after the sewage sludge unit closes.
- f. A food crop, a feed crop or fiber crop shall not be grown on an active sewage sludge unit. The owner/operator of the sewage sludge unit must demonstrate to EPA that public health and the environment are protected from reasonably anticipated adverse effects of pollutants in sewage sludge when crops are grown on a sewage sludge unit.
- g. Animals shall not be grazed on an active sewage sludge unit. The owner/operator of the sewage sludge unit must demonstrate to EPA that public health and the environment are protected from reasonably anticipated adverse effects of pollutants in sewage sludge when animals are grazed on a sewage sludge unit.
- h. Public access to a surface disposal site shall be restricted for the period that the surface disposal site contains an active sewage sludge unit and for site contains an active sewage sludge unit and for three years after the last sewage unit closes.
- i.
 - i. Sewage sludge placed in an active sewage sludge unit shall not contaminate an aquifer.

2. The permittee shall demonstrate the sewage sludge place in an active sewage sludge unit does not contaminate an aquifer by either (i) submission of results of a groundwater monitoring program developed by a qualified groundwater scientist; or (2) submission of certification by a qualified groundwater scientist that the sewage sludge does not contaminate an aquifer.

4. The following conditions must be documented by the permittee and owner/operator:
 - a. An active sewage sludge unit shall not restrict the flow of a base flood.
 - b. If a surface disposal site is located in seismic impact zone, an active sewage sludge unit shall be designed to withstand the maximum recorded horizontal ground level acceleration.
 - c. A active sewage sludge unit shall be located 60 meters or more from a fault that has displacement in Holocene time.
 - d. An active sewage sludge unit shall not be located in an unstable area.
 - e. An active sewage sludge unit shall not be located in a wetland.

5. If the active sewage sludge unit is not covered daily, the permittee shall meet either Class A or Class B pathogen reduction utilizing one of the methods in Section 4, and one of the vector attraction reduction requirements in Section 5.

6. The permittee shall monitor the sewage sludge for the pollutants in Paragraph 2, the pathogen density, and the vector attraction reduction requirements at the following frequency:

Sampling Frequency Table

SEWAGE SLUDGE PRODUCED (metric tons per 365 day period)	SAMPLING FREQUENCY
$0 < \text{Sludge(tons)} < 290$	Once per Year
$0 \leq \text{Sludge(tons)} < 1500$	Once Per Quarter (four times per year)
$1500 \leq \text{Sludge(tons)} < 15000$	Once per 60 Days (six times per year)
$\text{Sludge(tons)} \leq 15000$	Once per Month (12 times per year)

7. When a daily cover is placed on an active sewage sludge unit, the air in the structures within a surface disposal site and at the property line of the surface disposal site shall be monitored continuously for methane gas during the time that the surface disposal site contains an active sewage sludge unit and for three years after the sewage sludge unit closes.

8. The permittee shall develop and retain the following information for five years:
 - a. The following certification statement:

“I, certify, under penalty of law, that the information that will be used to determine compliance with the pathogen requirements in [insert §503.32(a), §503.32(b)(2), §503.32(b)(4) when one of those requirements is met] and the vector attraction reduction requirements in [insert one of the vector attraction reduction requirements in §503.33(b)(1) through §503.33(b)(8) when one of those requirements is met] was prepared under my direction and supervision in accordance with the system designed to ensure that qualified personnel properly gather and evaluate this information. I am aware that there are significant penalties for false certification including the possibility of fine or imprisonment.”
 - b. A description of how the pathogen requirements are met.
 - c. When the permittee is responsible for the vector attraction reduction requirements, description of how the vector attraction reduction requirements are met.

9. The owner/operator of the surface disposal site shall develop and retain the following information for five years:
 - a. The concentration of each pollutant listed in Paragraph 2a.
 - b. The following certification statement:

“I certify, under penalty of law, that the information that will be used to determine compliance with the management practices in §503.24 and the vector attraction reduction requirement in [insert one of the requirements in §503.33(b)(9) through (b)(11) if one of those requirements is met] was prepared under my direct supervision in accordance with the system designed to ensure that qualified personnel properly gather and evaluate this information. I am aware that there are significant penalties for false certification including the possibility of fine and imprisonment.”
 - c. A description of how the management practices in Paragraphs 3a through 3i are met.

- d. Documentation that the requirements in Paragraphs 4a through 4e are met.
 - e. A description of how the vector attraction reduction requirements are met, if the owner/operator is responsible for vector attraction reduction requirements.
10. The permittee shall report the information in Paragraphs 7a through 7d annually on February 19. Reports shall be submitted to EPA at the address in the Monitoring and Reporting section of the permit.
11. All sewage sludge sampling and analysis procedures shall be in accordance with the procedures detailed in Section 7.
12. If the permittee is not the owner/operator of the surface disposal site, the permittee shall notify the owner/operator of the following:
- a. The requirements in Paragraphs 1a through 1c;
 - b. The management practices in Paragraphs 3a through 3i;
 - c. The requirements in Paragraphs 4a through 4e;
 - d. The requirement in Paragraph 7; and
 - e. The record keeping requirements in Paragraph 9a through 9e.

2.3.3. Scenario No.3

This applies to an active sewage sludge unit with a liner and a leachate collection system.

SLUDGE CONDITIONS

1. The permittee and the owner/operator of an active sewage sludge unit shall comply with the following requirements:
- a. Sewage sludge shall not be placed in an active sewage sludge unless the requirement of 40 CFR Part 503, Subpart C are met.
 - b. An active sewage sludge unit located within 60 meters of a fault that has had displacement in Holocene time; located in an unstable area; or located in a wetland, except as provided in a permit issued pursuant to Section 402 or 404 of the Clean Water Act, shall close by March 22, 1994, unless, in the case of an active sewage sludge unit located within 60 meters of fault that has displacement in Holocene time, otherwise specified by the permitting authority.
 - i. The owner/operator of an active sewage sludge unit shall submit a written closure and post closure plan to EPA 180 days prior to the

date an active sewage sludge unit closes.

- ii. The closure plan shall consider the elements outlined in Section 6. If an element is not applicable, the owner/operator shall state the reasons in the plan.
 - c. The owner of a surface disposal site shall provide written notification to the subsequent owner of the site that sewage sludge was placed on the site. The notice should include elements outlined in Section 7. A copy of the notification shall be submitted to the EPA.
2. The permittee shall comply with the following management practices:
- a. The sewage sludge shall not be placed on an active sewage sludge unit if it is likely to adversely affect a threatened or endangered species listed under Section 4 of the Endangered Species Act or its designated critical habitat.
 - b. The run-off from an active sewage sludge unit shall be collected and disposed in accordance with applicable stormwater regulations.
 - c. The run-off collection system for an active sewage sludge unit shall have the capacity to handle run-off from a 24 hour - 25 year storm event.
 - d. The leachate collection system for an active sewage sludge unit shall be operated and maintained during the period the sewage sludge unit is active and for three years the sewage sludge unit closes.
 - e. The leachate shall be collected and disposed of in accordance with applicable regulations during the period the sewage sludge unit is active and for three years after it closes.
 - f.
 - i. When a daily cover is placed on an active sewage sludge unit, the concentration of methane gas in air in any structure within the surface disposal site shall not exceed 25 percent of the lower explosive limit, 1.25 percent by volume, for methane gas during the period that the sewage sludge unit is active.
 - ii. The concentration of methane gas in air at the property line of the surface disposal site shall not exceed the lower explosive limit, 5 percent by volume, for methane gas during the period that the sewage sludge unit is active.

- g.
 - i. When a final cover is placed on a sewage sludge unit at closure, and for three years after closure, the concentration of methane gas in air in any structure within the surface disposal site shall not exceed 25 percent of the lower explosive limit, 1.25 percent by volume, for methane gas.
 - ii. The concentration of methane gas in air at the property line of the surface disposal site shall not exceed the lower explosive limit, 5 percent by volume, for methane gas for three years after the sewage sludge unit closes.
- h. A food crop, a feed crop, or fiber crop shall not be grown on an active sewage sludge unit. The owner/operator of the sewage sludge unit must demonstrate to EPA that public health and the environment are protected from reasonably anticipated adverse effects of pollutants in sewage sludge when crops are grown on a sewage sludge unit.
- i. Animals shall not be grazed on an active sewage sludge unit. The owner/operator of the sewage sludge unit must demonstrate to EPA that public health and the environment are protected from reasonably anticipated adverse effects of pollutants in sewage sludge when animals are grazed on a sewage sludge unit.
- j. Public access to a surface disposal site shall be restricted for the period that the surface disposal site contains an active sewage sludge unit and for three years the last sewage sludge unit closes.
- k.
 - i. Sewage sludge placed in an active sewage sludge unit shall not contaminate an aquifer.
 - ii. The permittee shall demonstrate that sewage sludge placed in an active sewage sludge unit does not contaminate an aquifer by either (1) submission of results of a groundwater monitoring program developed by a qualified groundwater scientist; or (2) submission of a certification by a qualified groundwater scientist that the sewage sludge does not contaminate an aquifer.
- 3. The following conditions must be documented by the permittee and owner/operator:
 - a. An active sewage sludge unit shall not restrict the flow of a base flood.
 - b. If a surface disposal site is located in a seismic impact zone, an active sewage sludge unit shall be designed to withstand the maximum recorded horizontal ground level acceleration.

- c. A active sewage sludge unit shall be located 60 meters or more from a fault that has displacement in Holocene time.
 - d. An active sewage sludge unit shall not be located in an unstable area.
 - e. An active sewage sludge unit shall not be located in a wetland.
4. If the active sewage sludge unit is not covered daily, the permittee shall meet either Class A or Class B pathogen reduction utilizing one of the methods in Section 4, and one of the vector attraction reduction requirements in Section 5.
 5. The permittee shall monitor the sewage sludge for the pollutants in Paragraph 2, the pathogen density, and the vector attraction reduction requirements at the following frequency:

Sampling Frequency Table

SEWAGE SLUDGE PRODUCED (metric tons per 365 day period)	SAMPLING FREQUENCY
0<Sludge(tons)<290	Once per Year
0<Sludge(tons)<1500	Once Per Quarter (four times per year)
1500<Sludge(tons)<15000	Once per 60 Days (six times per year)
Sludge(tons)<15000	Once per Month (12 times per year)

6. When a daily cover is placed on an active sewage sludge unit, the air in the structures within a surface disposal site and at the property line of the surface disposal site shall be monitored continuously for methane gas during the time that the surface disposal site contains an active sewage sludge unit and for three years after the sewage sludge unit closes.
7. The permittee shall develop and retain the following information for five years:
 - a. The following certification statement:

“I, certify, under penalty of law, that the information that will be used to determine compliance with the pathogen requirements in §503.32(a), §503.32(b)(2), §503.32(b)(3) or §503.32(b)(4) when one of those requirements is

met] and the vector attraction reduction requirements in [insert one of the vector attraction reduction requirements in §503.33(b)(1) through §503.33(b)(8) when one of those requirements is met] was prepared under my direction and supervision in accordance with the system designed to ensure that qualified personnel properly gather and evaluate this information. I am aware that there are significant penalties for false certification including the possibility of fine or imprisonment.”

- b. A description of how the pathogen requirements are met.
- c. When the permittee is responsible for the vector attraction reduction requirements, a description of how the vector attraction reduction requirements are met.

8. The owner/operator of the surface disposal site shall develop and retain the following information for five years:

- a. The following certification statement:

“I certify, under penalty of law, that the information that will be used to determine compliance with management practices in §503.24 and the vector attraction reduction requirement in [insert one of the requirements in §503.33(b)(9) through (b)(11) if one of those requirements is met] was prepared under my direct supervision in accordance with the system designed to ensure that qualified personnel properly gather and evaluate this information. 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 Paragraphs 2a through 2k are met.
- c. Documentation that the requirements in Paragraphs 3a through e are met.
- d. A description of how the vector attraction reduction requirements are met, if the owner/operator is responsible for vector attraction reduction requirements.

9. The permittee shall report the information in Paragraphs 8a through c annually on February 19. Reports shall be submitted to EPA at the address in the Monitoring and Reporting section of the permit.

10. All sewage sludge sampling and analysis procedures shall be in accordance with the procedures detailed in Section 7.

11. If the permittee is not the owner/operator of the surface disposal site, the permittee shall notify the owner/operator of the following:
 - a. The requirements in Paragraphs 1a through e;
 - b. The management practices in Paragraphs 2a through k;
 - c. The requirements in Paragraph 3a through e;
 - d. The requirement in Paragraph 6; and
 - e. The record keeping requirements in Paragraphs 8a through d.

2.3.4. Scenario No.4

A permittee who dispose of their sludge in a municipal solid waste land fill are regulated under 40 CFR Part 258.

SLUDGE CONDITIONS

1. The permittee must dispose of the sewage sludge in a landfill which is in compliance with 40 CFR Part 258.
2. Sewage sludge disposed of in a municipal solid waste landfill shall not be hazardous. The Toxicity Characterization Leachate Protocol (TCLP) shall be used as demonstration that the sludge is non-hazardous.
3. The sewage sludge must not be liquid as determined by the Paint Filter Liquids Test method (Method 9095 as described in "Test Methods for Evaluating Solid Wastes, Physical/Chemical Methods, EPA publication No. SW-846).

3. Incineration

Each facility that incinerates sewage sludge is still subject to 40 CFR Part 503 regulations. Implementation of these regulations are site specific. A facility which incinerates sewage sludge will have specific conditions for that incineration process included in the facility's NPDES permit.

4. Pathogens Reduction

Allowable pathogen reduction alternatives are listed in this section. The corresponding reference to the regulation is listed in parenthesis.

4.1 Class A Pathogen Reduction

4.1.1. Class A – Alternative 1 (503.32(a)(3))

i. Either the density of fecal coliform in the sewage sludge shall be less than 1000 Most Probable Number per gram of total solids (dry weight basis), or the density of Salmonella sp. bacteria in the sewage sludge shall be less than three Most Probable Number per four grams of total solids (dry weight basis) at the time the sewage sludge is used or disposed; at the time sewage sludge is prepared for sale or give away in a bag or other container for application to the land; or at the time the sewage sludge or material derived from sewage sludge is prepared to meet the requirements in §503.10(b), §5.3.10(c), §503.10(e) or §503.10(f).

ii. The temperature of the sewage sludge that is used or disposed shall be maintained at a specific value for a period of time.

a. When the percent solids of the sewage sludge is seven percent or higher, the temperature of the sewage sludge shall be 50 degrees Celsius or higher; the time period shall be 20 minutes or longer; and the temperature and time period shall be determined using equation (3), except when small particles of sewage sludge are heated by either warmed gases or an immiscible liquid.

$$D = \frac{13,700,000}{10^{0.1400t}} \quad (3)$$

Where,

D = time in days

T = temperature in degrees Celsius

b. When the percent solids of the sewage sludge is seven percent or higher and small particles of sewage sludge are heated by either warmed gases or an immiscible liquid, the temperature of the sewage sludge shall be 50 degrees Celsius or higher; the time period shall be 15 seconds or longer; and the temperature and time period shall be determined using equation (3).

c. When the percent solids of the sewage sludge is less than seven percent and the time period is at least 15 seconds, but less than 30 minutes, the temperature and time period shall be determined using equation (3).

- d. When the percent solids of the sewage sludge is less than seven percent; the temperature of the sewage sludge is 50 degrees Celsius or higher; and the time period is 30 minutes or longer, the temperature and time period shall be determined using equation (4).

$$D = \frac{50,070,000}{10^{0.1400t}} \quad (4)$$

Where,

D = time in days.

t = temperature in degrees Celsius.

4.1.2. Class A - Alternative 2 (503.32(a)(4))

i. Either the density of fecal coliform in the sewage sludge shall be less than 1000 Most Probable Number per gram of total solids (dry weight basis), or the density of Salmonella sp. bacteria in the sewage sludge shall be less than Most Probable Number per four grams of total solids (dry weight basis) at the time the sewage sludge is used or disposed; at the time the sewage sludge is prepared for sale or give away in a bag or other container for application to the land; or at the time the sewage sludge or material derived from sewage sludge is prepared to meet the requirements in §503.10(b), §503.10(c), §503.10(e) or §503.10(f).

ii a.. The pH of the sewage sludge that is used or disposal shall be raised to above 12 and shall remain above 12 for 72 hours.

b. The temperature of the sewage sludge shall be above 52 degrees Celsius for 12 hours or longer during the period that the pH of the sewage sludge is above 12.

c. At the end of the 72 hour period during which the pH of the sewage sludge is above 12, the sewage sludge shall be air dried to achieve a percent solids in the sewage sludge greater than 50 percent.

4.1.3. Class A - Alternative 3 (503.32(a)(5))

i. Either the density of fecal coliform in the sewage sludge shall be less than 1000 Most Probable Number per gram of total solids (dry weight basis), or the density of Salmonella sp. bacteria in sewage sludge shall be less than three Most Probable Number per four grams of total solids (dry weight basis) at the time the sewage sludge is prepared for sale or give away in a bag or other container for application to the land; or at the time the sewage sludge or material derived from sewage sludge is prepared to meet the requirements in §503.10(b), §503.10(c), §503.10(e) or §503.10(f).

- ii.
 - a. The sewage sludge shall be analyzed prior to pathogen treatment to determine whether the sewage sludge contains enteric viruses.
 - b. When the density of enteric values in the sewage sludge prior to pathogen treatment is less than one Plaque-forming Unit per four grams of total solids (dry weight basis), the sewage sludge is Class A with respect to enteric viruses until the next monitoring episode for the sewage sludge.
 - c. When the density of enteric viruses in the sewage sludge prior to pathogen treatment is equal to or greater than one Plaque-forming Unit per four grams of total solids (dry weight basis), the sewage sludge is Class A with respect to enteric viruses in the sewage sludge after pathogen treatment is less than one Plaque-forming Unit per four grams of total solids (dry weight basis) and when the values or ranges of values for the operating parameters for the pathogen treatment process that produces the sewage sludge that meets the enteric virus density requirement are documented.
 - d. After the enteric virus reduction in ii.c. of this subsection is demonstrated for the pathogen treatment process, the sewage sludge continues to be Class A with respect to enteric viruses when the values for the pathogen treatment process operating parameters are consistent with the values or ranges of values documented in ii.c. of this subsection.
- iii.
 - a. The sewage sludge shall be analyzed prior to pathogen treatment to determine Whether the sewage sludge contains viable helminth ova.
 - b. When the density of viable helminth ova in the sewage sludge prior to pathogen treatment is less than one per four grams of total solids (dry weight basis), the sewage sludge is Class A with respect to viable helminth ova until the next monitoring episode for the sewage sludge.
 - c. When the density of viable helminth ova in the sewage sludge prior to pathogen treatment is equal to or greater than one per four grams of total solids (dry weight basis), the sewage sludge is Class A with respect to viable helminth ova when the density of viable helminth ova in the sewage sludge after pathogen treatment is less than one per four grams of total solids (dry weight basis) and when the values or ranges of values for the operating parameters for the pathogen treatment process that produces the sewage sludge that meet the viable helminth ova density requirement are documented.
 - d. After the viable helminth ova reduction in iii.c. of this subsection is demonstrated for the pathogen treatment process, the sewage sludge continues to be Class A with respect to viable helminth ova when the values for the pathogen

treatment process operating parameters are consistent with the values of ranges of values documented in (iii)(c) of this subsection.

4.1.4. Class A - Alternative 4 (503.32(a)(6))

- i. Either the density of fecal coliform in the sewage sludge shall be less than 1000 Most Probable Number per gram of total solids (dry weight basis), or the density of Salmonella sp. bacteria in the sewage sludge shall be less than three Most Probable Number per four grams of total solids (dry weight basis) at the time the sewage sludge is prepared for sale or give away in a bag or other container for application to the land; or at the time the sewage sludge or material derived from sewage sludge is prepared to meet the requirements in §503.10 (b), §503.10(c), §503.10(f).
- ii. The density of enteric viruses in the sewage sludge shall be less than one Plaque-forming Unit per four grams of total solids (dry weight basis) at the time the sewage sludge is used or disposed; at the time the sewage is prepared for sale or give away in a bag or other container for application to the land; or at the time the sewage sludge or material derived from sewage sludge is prepared to meet the requirements in §503.10(b), §503.10(c), §503.10(e) or §503.10(f), unless otherwise specified by the permitting authority.
- iii. The density of viable helminth ova in the sewage sludge shall be less than one per four grams of total solids (dry weight basis) at the time the sewage sludge is used or disposed; at the time the sewage sludge is prepared for sale or give away in a bag or other container for application to the land; or at the time the sewage sludge or material derived from sewage sludge is prepared to meet the requirements in §503.10(b),§503.10(c), §503.10(e) or §503.10(f), unless otherwise specified by the permitting authority.

4.1.5. Class A - Alternative 5 (503.32(a) (8))

- i. Either the density of fecal coliform in the sewage sludge shall be less than 1000 Most Probable Number per gram of total solids (dry weight basis), or the sludge shall be less than three Most Probable Number per four grams of total (dry weight basis) at the time the sewage sludge is used or disposed; at the time the sewage sludge is prepared for sale or give away in a bag or other container for application to the land; or at the time the sewage sludge or material derived from sewage sludge is prepared to meet the requirements in §503.10(b), §503.10(c), §503.10(e) or §503.10(f).
- ii. Sewage sludge that is used or disposed shall be treated in one of the Processes to Further Reduce Pathogens described in Section 4.3.

4.1.6. Class A - Alternative 6 (503.32(a)(8))

- i. Either the density of fecal coliform in the sewage sludge shall be less than 1000 Most Probable Number per gram of total solids (dry weight basis), or the density of Salmonella, sp. bacteria in the sewage sludge shall be less than three Most Probable number per four grams of total solids (dry weight basis) at the time the sewage sludge is used or disposed; at the time the sewage sludge is prepared for sale or give away in a bag or other container for application to the land; or at the time the sewage sludge or material derived from sewage sludge is prepared to meet the requirements in §503.10(b), §503.10(c), §503.10(e) or §503.10(f).
- ii. Sewage sludge that is used or disposed shall be treated in a process that is equivalent to a Process to Further Reduce Pathogens, as determined by the permitting authority.

4.2 Class B Pathogen Reduction

4.2.1. Class B - Alternative 1 (503.32(b)(2))

- i. Seven representative samples of the sewage sludge that is used or disposed shall be collected.
- ii. The geometric mean of the density of fecal coliform in the samples collected in (2) (i) of this subsection shall be less than either 2,000,000 Most Probable Number per gram of total solids (dry weight basis) or 2,000,000 Colony Forming Units per gram of total solids (dry weight basis).

4.2.2. Class B - Alternative 2 (503.32 (b)(3))

Sewage sludge that is used or diagnosed shall be treated in one of the Processes to Significantly Reduce Pathogens described in Section 4.3.

4.2.3. Class B - Alternative 3 (503.32(b)(4))

Sewage sludge that is used or disposed shall be treated in a process that is equivalent to a Process to Significantly Reduce Pathogens, as determined by the permitting authority.

4.3 Pathogen Reduction Processes

4.3.1. Process to Significantly Reduce Pathogens

1. Aerobic Digestion - Sewage sludge is agitated with air or oxygen to maintain aerobic conditions for a specific mean cell residence time at a specific temperature. Values for

the mean cell residence time and temperature shall be between 40 days at 20 degrees Celsius and 60 days at 15 degrees Celsius.

2. Air Drying - Sewage sludge is dried on sand beds or on paved or unpaved basins. The sewage sludge dries for a minimum of three months. During two of the three months, the ambient average daily temperature is above zero degrees Celsius.

3. Anaerobic Digestion - Sewage sludge is treated in the absence of air for a specific mean cell residence time at a specific temperature. Values for the mean cell residence time and temperature shall be between 15 days at 35 to 55 degrees Celsius and 60 days at 20 degrees Celsius.

4. Composting - Using either the within vessel, static aerated pile, or windrow composting methods, the temperature of the sewage sludge is raised to 40 degrees Celsius or higher and remains at 40 degrees Celsius or higher for five days. For four hours during the five days, the temperature in the compost pile exceeds 55 degrees Celsius.

5. Lime Stabilization - Sufficient lime is added to the sewage sludge to raise the pH of the sewage sludge to 12 after two hours of contact.

4.3.2. Process to Further Reduce Pathogens

1. Composting - Using either the within vessel composting method or the static aerated pile composting method, the temperature of the sewage sludge is maintained at 55 degrees Celsius or higher for three days.

Using the windrow composting method, the temperature of the sewage sludge is maintained at 55 degrees or higher for 15 days or longer. During the period when the compost is maintained at 55 degrees or higher, there shall be a minimum of five turnings of the windrow.

2. Heat Drying - Sewage sludge is dried by direct or indirect contact with hot gases to reduce the moisture content of the sewage sludge to 10 percent or lower. Either the temperature of the sewage sludge particles exceeds 80 degrees Celsius or the wet bulb temperature of the gas in contact with sewage sludge as the sewage sludge leaves the dryer exceeds 80 degrees Celsius.

3. Heat Treatment - Liquid sewage sludge is heated to temperature of 180 degrees Celsius or higher for 30 minutes.

4. Thermophilic Aerobic Digestion - Liquid sewage sludge is agitated with air or oxygen to maintain aerobic conditions and the mean cell residence time of the sewage

sludge is 10 days at 55 to 60 degrees Celsius.

5. Beta Ray Irradiation - Sewage sludge is irradiated with beta rays from an accelerator at dosages of at least 1.0 megarad at room temperature (ca. 20 degrees Celsius).

6. Gamma Ray Irradiation - Sewage sludge is irradiated with gamma rays for certain isotopes, such as ⁶⁰Cobalt and ¹³⁷Cesium, at dosages of at least 1.0 megarad at room temperature (ca. 20 degrees Celsius).

7. Pasteurization - The temperature of the sewage sludge is maintained at 70 degrees Celsius or higher for 30 minutes or longer.

5. Vector Attraction Reduction

The various vector attraction reduction means are listed in this section. The 40 CFR Part 503 section from which each reduction was excerpted is referenced in parenthesis.

5.1. Alternative 1 (503.33(b)(1))

The mass of volatile solids in the sewage sludge shall be reduced by a minimum of 38 percent.

5.2. Alternative 2 (503.33(b)(2))

When the 38 percent volatile solids reduction requirement in §503.33(b)(1) cannot be met for an anaerobically digested sewage sludge, vector attraction reduction can be demonstrated by digesting a portion of the previously digested sewage sludge anaerobically in the laboratory in a bench-scale unit for 40 additional days at a temperature between 30 and 37 degrees Celsius. When at the end of the 40 days, the volatile solids in the sewage sludge at the beginning of that period is reduced by less than 17 percent, vector attraction reduction is achieved.

5.3. Alternative 3 (503.33(b)(3))

When the 38 percent volatile solids reduction requirement in §503.33(b)(1) cannot be met for an aerobically digested sewage sludge, vector attraction reduction can be demonstrated by digesting a portion of the previously digested sewage sludge that has a percent solids of two percent or less aerobically in the laboratory in a bench-scale unit for 30 additional days at 20 degrees Celsius. When at the end 30 days, the volatile solids in the sewage sludge at the beginning of that period is reduced by less than 15 percent, vector attraction reduction is achieved.

5.4. Alternative 4 (503.33(b)(4))

The specific oxygen uptake rate (SOUR) for sewage sludge treated in an aerobic process shall be equal to or less than 1.5 milligrams of oxygen per hour per gram of total solids (dry weight basis) at a temperature of 20 degrees Celsius.

5.5. Alternative 5 (503.33(b)(5))

Sewage sludge shall be treated in an aerobic process for 14 days or longer. During time, the temperature of the sewage sludge shall be higher than 40 degrees Celsius and the average temperature of the sewage sludge shall be higher than 45 degrees Celsius.

5.6. Alternative 6 (503.33(b)(6))

The pH of sewage sludge shall be raised to 12 or higher by alkali addition and, without the addition of more alkali, shall remain at 12 or higher for two hours and then at 11.5 or higher for an additional 22 hours.

5.7. Alternative 7 (503.33(b)(7))

The percent solids of sewage sludge that does not contain unstabilized solids generated in a primary wastewater treatment process shall be equal to or greater than 75 percent based on the moisture content and total solids prior to mixing with other materials.

5.8. Alternative 8 (503.33 (b)(8))

The percent solids of sewage sludge that contains unstabilized solids generated in a primary wastewater treatment process shall be equal to or greater than 90 percent based on the moisture content and total solids prior to mixing with other materials.

5.9. Alternative 9 (503.33(b)(9))

- i. Sewage sludge shall be injected below the surface of the land.
- ii. No significant amount of the sewage sludge shall be present on the land surface within one hour after the sewage sludge is injected.

5.10. Alternative 10 (503.33(b)(10))

- i. Sewage sludge applied to the land surface or placed on an active sewage sludge unit shall be incorporated into the soil within six hours after application to or placement on the land unless otherwise specified by the permitting authority.
- ii. When sewage sludge that is incorporated into the soil is Class A with respect to pathogens, the sewage sludge shall be applied to or place on the land within eight hours after being discharged from the pathogen treatment program.

5.11. Alternative 11 (503.33(b)(11))

Sewage sludge placed on an active sewage sludge unit shall be covered with soil or other material at the end of each operating day.

6. CLOSURE AND POST CLOSURE PLAN

The closure and post closure plan shall describe how the sewage sludge unit will close and how it will be maintained for three years after closure.

6.1. Minimum Elements

The following items are the minimum elements that should be addressed in the closure plan.

6.1.1. General Information

- a. Name, address, and telephone number of the owner/operator
- b. Location of the site including size
- c. Schedule for final closure

6.1.2. Leachate collection system

- a. How the system will be operated and maintained for three years after closure
- b. Treatment and disposal of the leachate

6.1.3. Methane Monitoring

- a.. Description of the system to monitor methane within the structures at the property line
- b. Maintenance of the system

6.1.4. Restriction of Public Access

- a. Describe method of restricting public access for three years after the last surface disposal unit closes

6.1.5. Other Activities

- a. Groundwater monitoring
- b. Maintenance and inspection schedules
- c. Discussion of land use after cover
- d. Copy of notification to subsequent land owner

6.2. Notification to Land Owner

The notification to the subsequent land owner shall include the following information:

- a. Name, address, and telephone number of the owner/operator of the owner/operator of the surface disposal site.
- b. A map and description of the surface disposal site including locations of surface disposal units.
- c. An estimate of the amount of sewage sludge placed on the site and a description of the quality of the sludge.
- d. Results of the methane gas monitoring and groundwater monitoring
- e. Discussion of the leachate collection system, if appropriate
- f. Demonstration that the site was closed in accordance with closure plan

7. SAMPLING AND ANALYSIS

7.1 Sampling

Representatives samples of sewage sludge that is applied to the land, placed on a surface disposal site, or fired in a sewage sludge incinerator shall be collected and analyzed.

7.2 Analytical Methods

The following methods shall be used to analyze samples of sewage sludge.

a. Enteric Viruses

ASTM Method D 499-89, "Standard Practice for Recovery of Viruses from Wastewater Sludge", Annual Book of ASTM Standards: Section 11, Water and Environmental Technology, 1992.

b. Fecal Coliform

Part 9221 E or Part 9222 D, "Standard Methods for the Examination of Water and Wastewater", 18th edition, American Public Health Association, Washington, D.C., 1992.

c. Helminth Ova

Yanko, W.A., "Occurrence of Pathogens in Distribution and Marketing Municipal Sludges", EPA 600/1-87-014, 1987. NTIS PB 88-154273/AS, National Technical Information Service, Springfield, Virginia.

d. Inorganic Pollutants

Method SW-846 in "Test Methods for Evaluating Solid Waste" U.S. Environmental Protection Agency, November 1986.

e. Salmonella sp. bacteria

Part 9260 D.1, "Standard Methods for the Examination of Water and Wastewater", 18th edition, American Public Health Association, Washington, D.C., 1992; or Kenner, B.B. and H.A. Clark, "Determination and Enumeration of Salmonella and Pseudomonas aeruginosa", J. Water Pollution Control Federation, 46 (9): 2163-2171, 1974.

f. Specific Oxygen Uptake Rate

Part 2710 B, "Standard Methods for the Examination of Water and Wastewater", 18th edition, American Public Health Association, Washington, D.C., 1992.

g. Total Solids, Fixed Solids, and Volatile Solids

Part 2540 G, Standard Methods for the Examination of Water and Wastewater", 18th edition, American Public Health Association, Washington, D.C., 1992.

7.3 Percent Volatile Solids Reduction

Percent volatile solids reduction shall be calculated using a procedure in "Environmental Regulations and Technology - Control of Pathogens and Vectors in Sewage Sludge", EPA 625/R-92/013, U.S. Environmental Protection Agency, Cincinnati, Ohio, 1992.