

\*\*\* DRAFT - NOT YET FILED \*\*\*

3745-40-03

NPDES permit requirements and management plan requirements.

[Comment: Definitions relevant to this chapter can be found in rule 3745-40-01 of the Administrative Code.]

[Comment: For dates of non-regulatory government publications, publications of recognized organizations and associations, federal rules and federal statutory provisions referenced in this rule, see rule 3745-40-01 of the Administrative Code.]

(A) NPDES permit requirements.

(1) Except as provided in paragraph (C) of this rule, the disposal, storage, treatment or transfer of sewage sludge or biosolids shall be in compliance with this chapter and the conditions of an effective NPDES permit.

(2) Except as provided in paragraph (C) of this rule, the beneficial use of biosolids shall be in compliance with this chapter and the conditions of an effective NPDES permit.

(3) To protect public health or the environment, the director may specify in any NPDES permit:

(a) Requirements for the net volume, net weight, quality, or pollutant concentration of the sewage sludge or biosolids;

(b) The manner or frequency of the treatment, disposal, transfer, or storage of sewage sludge;

(c) The manner or frequency of the beneficial use of the biosolids;

(d) Schedules of compliance; and

(e) Permit conditions:

(i) To minimize the creation of nuisance odors;

(ii) To implement disposal, beneficial use, storage, treatment or transfer of the biosolids or sewage sludge;

(iii) Requiring the filing of periodic reports on the amounts, composition and quality of the biosolids or sewage sludge; and

(iv) That are more stringent than the requirements in this chapter because of site specific concerns or unique factors relevant to the

disposal system or the permittee's operation or maintenance of the disposal system.

(B) Special requirements for land reclamation sites. In addition to the requirements in paragraphs (A) to (A)(3)(e)(iv) of this rule, the beneficial use at a land reclamation site shall:

- (1) Be in accordance with paragraph (D)(2) of rule 3745-40-07 and paragraph (A)(5) of rule 3745-40-08 of the Administrative Code;
- (2) For class B biosolids, be in accordance with an effective NPDES permit; and
- (3) For any land reclamation site that is under the jurisdiction of the Ohio department of natural resources, division of mineral resources management, have a land reclamation plan, approved by the Ohio department of natural resources, division of mineral resources management, where this approval is obtained by the applicant and submitted to the director prior to the application of the biosolids to any land reclamation site.

(C) Management plan requirements.

- (1) The director may allow the treatment, disposal, transfer or storage of sewage sludge or biosolids to be in accordance with an approved management plan, until such time as an NPDES permit is issued, modified or renewed.
- (2) The director may allow the beneficial use of biosolids in accordance with an approved management plan, until such time as an NPDES permit is issued, modified or renewed.
- (3) The director may require that any person who is not a permittee obtain a management plan prior to utilizing more than one thousand cubic yards of biosolids per year to generate a product.
- (4) A management plan is:
  - (a) Effective for up to five years; and
  - (b) Shall be in narrative form, shall be on forms approved by the director and shall include:

[Comment: A sludge management plan application includes permit to install form A, permit to install form B9 and any additional written information the director or an authorized representative deems necessary. These forms can be found on the Ohio environmental protection agency web site at the following link: <http://www.epa.state.oh.us/dsw/sludge/biosolid.html>.]

- (i) A detailed description of the method or methods used for the treatment, storage, transfer or disposal of sewage sludge or biosolids and, as applicable, the beneficial use of biosolids;
- (ii) Information on how any site specific management practices to prevent runoff will be maintained; and
- (iii) The intended beneficial use.

Replaces: 3745-40-03

Effective:

R.C. 119.032 review dates:

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Certification

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Date

Promulgated Under: 119.03  
Statutory Authority: 6111.03, 6111.042  
Rule Amplifies: 6111.03, 6111.042  
Prior Effective Dates: 4/8/2002, 10/17/2003. 10/1/2007