

3745-40-09

Approved sampling methods, monitoring frequency requirements, record retention and annual reporting 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) Approved sampling methods.

- (1) Except as provided in paragraph (A)(2) of this rule, a permittee shall collect and analyze, as applicable, representative samples of biosolids in accordance with table A-1 of this rule, or any other method as approved under 40 C.F.R. 503. The following methods or methods listed in 40 C.F.R. Part 136 shall be used to analyze samples of biosolids and are adopted by reference in this chapter.

Table A-1: approved methods for sampling.

<u>Sample</u>	<u>Approved method</u>
<u>Enteric viruses</u>	<u>ASTM D 4994-89</u>
<u>Fecal coliform</u>	<u>Part 9221E. or part 9222D., "Standard Methods for the Examination of Water and Wastewater"</u>
<u>Helminth ova</u>	<u>Yanko, W.A. "Occurrence of Pathogens in Distribution and Marketing Municipal Sludges"</u>
<u>Inorganic pollutants</u>	<u>"EPA SW-846 - Test Methods for Evaluating Solid Waste, Physical/Chemical Methods"</u>
<u>Salmonella sp. bacteria</u>	<u>Part 9260D., "Standard Methods for the Examination of Water and Wastewater" or Kenner, B.A. and H.P. Clark, "Detection and Enumeration of Salmonella and Pseudomonas aeruginosa," journal of the water pollution control federation, vol. 46, no. 9, September 1974, pp. 2163-2171. Water environment federation, 601 Wythe street, Alexandria, VA 22314</u>
<u>Specific oxygen uptake rate</u>	<u>Part 2710B., "Standard Methods for the Examination of Water and Wastewater"</u>
<u>Total, fixed, and volatile solids</u>	<u>Part 2540G., "Standard Methods for the Examination of Water and Wastewater"</u>

(2) The director may approve alternative sampling methods to those listed in table A-1 of this rule provided the permittee submits a copy of the alternative sampling method being proposed and any necessary support documentation to the director for consideration prior to any sampling being done.

(B) Monitoring frequency requirements. For any NPDES permit issued by the director, monitoring frequencies shall be in accordance with paragraphs (B) to (B)(4) of this rule. In addition to the monitoring frequencies in paragraphs (B) to (B)(4) of this rule, the director may require additional monitoring to protect public health or the environment.

(1) Total solids.

(a) Each day when sewage sludge or biosolids are removed from the treatment works for disposal, a representative composite sample of the sewage sludge or biosolids, as applicable, shall be collected and analyzed for total solids.

(b) Each day when biosolids are removed from the treatment works for beneficial use, a representative composite sample of the biosolids shall be collected and analyzed for total solids.

(2) Transfer to another treatment works. Each day when sewage sludge or biosolids are transferred to another treatment works, the total volume of sewage sludge or biosolids removed for transfer shall be documented.

(3) Pathogen reduction. To ensure that pathogen reduction requirements are met prior to beneficial use, monitoring shall occur for pathogen reduction prior to beneficial use.

(a) Monitoring for pathogen reduction shall be performed as necessary to show compliance with all processing requirements and, at a minimum, in accordance with table B-1 of this rule.

(b) If beneficial use does not occur in a reporting period, the number of samples collected and reported for pathogen reduction shall be increased during the next beneficial use event to include the missed monitoring periods, unless all previously accumulated sewage sludge has been removed and disposed of via a landfill, though incineration or by transfer to another treatment works.

[Comment - For example, for a treatment works that would be required to monitor their sewage sludge on a quarterly basis, but only has one annual beneficial use event, and that relies on fecal coliform monitoring to meet pathogen reduction, four separate sets of seven fecal coliform samples with the appropriate four separate geometric mean calculations

would be required.]

(4) Vector attraction. To ensure that vector attraction requirements are met prior to beneficial use, monitoring shall occur for vector attraction reduction prior to beneficial use.

(a) Monitoring for vector attraction reduction shall be performed as necessary to show compliance with all processing requirements and, at a minimum, in accordance with table B-1 of this rule.

(b) Monitoring for vector attraction reduction is not required when vector attraction reduction options VAR-9 or VAR-10, in accordance with rule 3745-40-04 of the Administrative Code, are utilized.

(5) Metals and nutrients.

(a) The following is a list of parameters that shall be monitored for prior to beneficial use in accordance with the frequencies in table B-1 of this rule:

(i) Metals:

(a) Arsenic;

(b) Cadmium;

(c) Copper;

(d) Lead;

(e) Mercury;

(f) Molybdenum;

(g) Nickel;

(h) Selenium; and

(i) Zinc.

(ii) Nutrients:

(a) Ammonia nitrogen;

(b) Total kjeldahl nitrogen;

(c) Total phosphorus; and

(d) Total potassium.

(b) For any NPDES permit or management plan that was issued by the director prior to the effective date of this rule, the monitoring frequencies for metals and nutrients in the currently effective NPDES permit or management plan or the monitoring frequencies for metals in accordance with 40 C.F.R. 503 shall be followed until a modification or renewal NPDES permit or management plan is issued.

(c) For any NPDES permit or management plan issued by the director after the effective date of this rule, minimum frequency of monitoring for metals and nutrients shall be in accordance with table B-1 of this rule. This monitoring shall occur even if beneficial use does not occur during a reporting period, or the number of samples collected and reported shall be increased prior to the next beneficial use event to account for the reporting period(s) in which beneficial use did not occur, unless all previously accumulated sewage sludge has been removed and disposed of via a landfill, through incineration or by transfer to another treatment works.

(d) For any NPDES permit or management plan issued by the director that does not include sampling requirements for total phosphorus or total potassium, the minimum frequency of monitoring for total phosphorus or total potassium shall be in accordance with table B-1 of this rule.

Table B-1: Minimum frequency of monitoring required for the beneficial use of biosolids based on amount of sewage sludge generated per calendar year.

<u>Amount of sewage sludge generated (dry U.S. tons per calendar year)</u>	<u>Frequency of monitoring</u>
<u>Greater than zero but less than three hundred twenty</u>	<u>Once per year</u>
<u>Greater than or equal to three hundred twenty but less than one thousand six hundred fifty</u>	<u>Once per quarter</u>
<u>Greater than or equal to one thousand six hundred fifty but less than sixteen thousand five hundred</u>	<u>Once every two months</u>
<u>Greater than or equal to sixteen thousand five hundred</u>	<u>Once per month</u>

(6) Dioxin monitoring requirements.

(a) To protect public health or the environment, the director may require monitoring for dioxin for any treatment works:

- (i) To determine whether a significant increase is occurring in the dioxin concentration; and
 - (ii) To assist in identifying the source of any such significant increase.
- (b) If monitoring for dioxin is required, the treatment works shall monitor for dioxin in sewage sludge, such that:
- (i) All analyses for dioxin in sewage sludge that are required by this rule are performed by a laboratory equipped to provide accurate results;
 - (ii) All test results for dioxin are submitted to the appropriate Ohio environmental protection agency district office and the Ohio environmental protection agency central office;
 - (iii) The 2, 3, 7, 8-TCDD total toxicity equivalence of the dioxin in sewage sludge, calculated from the twenty-nine dioxin congeners defined in rule 3745-40-01 of the Administrative Code, shall be reported as part of the permittee's monthly operating report;
 - (iv) All dioxin in sewage sludge monitoring results shall be retained by the permittee for a minimum of five years and shall be submitted to the Ohio environmental protection agency upon request. The results shall include the following:
 - (a) Total class concentrations of the dibenzo-p-dioxins and dibenzofurans in parts per trillion;
 - (b) Concentrations of the twenty-nine individual congeners in parts per trillion; and
 - (c) Calculation of the 2, 3, 7, 8-TCDD total toxicity equivalence in parts per trillion;
 - (v) The following analytical methods shall be used for the analysis of dioxin in sewage sludge:
 - (a) United States environmental protection agency method number 1613B shall be used for the seven 2, 3, 7, 8 chlorinated dibenzo-p-dioxin congeners and ten 2, 3, 7, 8 chlorinated dibenzofuran congeners; and

[Comment: Method number 1613B, October 1994, may be obtained from: "National Technical Information Service No. PB93-236024, (800) 553-NITS, or Educational

Resources Information Center Number W-105, (800) 443-ERIC." Method 1613B can also be obtained from the following _____ web _____ link: [www.epa.gov/waterscience/methods/method/dioxins/.](http://www.epa.gov/waterscience/methods/method/dioxins/)]

(b) United States environmental protection agency method number 1668A (USEPA number 821/C-97-005821/C-97-005) shall be used for the twelve coplanar polychlorinated biphenyl congeners;

[Comment: Method number 1668A, November 2008, may be obtained from: "Office of Water Methods and Guidance Diskette 2, Office of Water Resource Center, (202) 260-7786." Method number 1668A may also be obtained from _____ the _____ following _____ web _____ link: [www.epa.gov/waterscience/methods/method/files/1668.pdf.](http://www.epa.gov/waterscience/methods/method/files/1668.pdf)]

(vi) Non-detected values shall be reported as one half of the detection limit;

(vii) The toxicity equivalence factors (TEF) listed in table B-2 of this rule shall be used in the calculation of the 2, 3, 7, 8-TCDD total toxicity equivalence; and

Table B-2: toxicity equivalent factors.

<u>Congener</u>	<u>Toxicity equivalent factor</u>
<u>2, 3, 7, 8-tetrachlorodibenzo-p-dioxin</u>	<u>1.0</u>
<u>1, 2, 3, 7, 8-pentachlorodibenzo-p-dioxin</u>	<u>0.5</u>
<u>1, 2, 3, 4, 7, 8-hexachlorodibenzo-p-dioxin</u>	<u>0.1</u>
<u>1, 2, 3, 6, 7, 8-hexachlorodibenzo-p-dioxin</u>	<u>0.1</u>
<u>1, 2, 3, 7, 8, 9-hexachlorodibenzo-p-dioxin</u>	<u>0.1</u>
<u>1, 2, 3, 4, 6, 7, 8-heptachlorodibenzo-p-dioxin</u>	<u>0.01</u>
<u>1, 2, 3, 4, 6, 7, 8, 9-octachlorodibenzo-p-dioxin</u>	<u>0.001</u>
<u>2, 3, 7, 8-tetrachlorodibenzofuran</u>	<u>0.1</u>
<u>1, 2, 3, 7, 8-pentachlorodibenzofuran</u>	<u>0.05</u>
<u>2, 3, 4, 7, 8-pentachlorodibenzofuran</u>	<u>0.5</u>

<u>1, 2, 3, 4, 7, 8-hexachlorodibenzofuran</u>	<u>0.1</u>
<u>1, 2, 3, 6, 7, 8-hexachlorodibenzofuran</u>	<u>0.1</u>
<u>1, 2, 3, 7, 8, 9-hexachlorodibenzofuran</u>	<u>0.1</u>
<u>2, 3, 4, 6, 7, 8-hexachlorodibenzofuran</u>	<u>0.1</u>
<u>1, 2, 3, 4, 6, 7, 8-heptachlorodibenzofuran</u>	<u>0.01</u>
<u>1, 2, 3, 4, 7, 8, 9-heptachlorodibenzofuran</u>	<u>0.01</u>
<u>1, 2, 3, 4, 6, 7, 8, 9-octachlorodibenzofuran</u>	<u>0.001</u>
<u>3, 3', 4, 4'-tetrachlorobiphenyl</u>	<u>0.0001</u>
<u>3, 4, 4', 5-tetrachlorobiphenyl</u>	<u>0.0001</u>
<u>3, 3', 4, 4', 5-pentachlorobiphenyl</u>	<u>0.1</u>
<u>2, 3, 3', 4, 4'-pentachlorobiphenyl</u>	<u>0.0001</u>
<u>2, 3', 4, 4', 5-pentachlorobiphenyl</u>	<u>0.0001</u>
<u>2', 3, 4, 4', 5-pentachlorobiphenyl</u>	<u>0.0001</u>
<u>2, 3, 4, 4', 5-pentachlorobiphenyl</u>	<u>0.0005</u>
<u>3, 3', 4, 4', 5, 5'-hexachlorobiphenyl</u>	<u>0.01</u>
<u>2, 3, 3', 4, 4', 5-hexachlorobiphenyl</u>	<u>0.0005</u>
<u>2, 3, 3', 4, 4', 5'-hexachlorobiphenyl</u>	<u>0.0005</u>
<u>2, 3', 4, 4', 5, 5'-hexachlorobiphenyl</u>	<u>0.00001</u>
<u>2, 3, 3', 4, 4', 5, 5'-heptachlorobiphenyl</u>	<u>0.0001</u>

(viii) If the sample shows results above three hundred parts per trillion total toxicity equivalence, all beneficial use or distribution of the biosolids shall cease.

(C) Record retention requirements. Record retention is required by the:

(1) Permittee of exceptional quality biosolids. In addition to the recordkeeping requirements in rule 3745-40-04 of the Administrative Code, the permittee who prepares exceptional quality biosolids for the purpose of beneficial use or distribution shall develop the following information, shall retain the

following information for a minimum of five years at the treatment works, and shall make the following information available to the director or an authorized representative upon request:

(a) The results of all analyses as required in paragraph (B) of rule 3745-40-09 of the Administrative Code;

(b) The following certification statement:

"I certify, under penalty of law, that the information that will be used to determine compliance with pathogen reduction alternative [insert one of the pathogen reduction alternatives in paragraphs (B)(8) to (B)(16) of rule 3745-40-04 of the Administrative Code] in rule 3745-40-04 of the Administrative Code and vector attraction reduction alternative [insert one of the vector attraction reduction alternatives in paragraphs (C)(1) to (C)(8) of rule 3745-40-04 of the Administrative Code] in rule 3745-40-04 of the Administrative Code 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 narrative description, in the form of a standard operating procedure, of how the pathogen reduction alternative being utilized meets the applicable requirements of the pathogen reduction alternative, in accordance with paragraphs (B)(8) to (B)(16) of rule 3745-40-04 of the Administrative Code and a narrative description, in the form of a standard operating procedure, of how the vector attraction reduction alternative being utilized meets the applicable requirements of the vector attraction reduction alternative, in accordance with paragraphs (C)(1) to (C)(8) of rule 3745-40-04 of the Administrative Code. The standard operating procedure shall include at a minimum, when applicable:

(i) Sample collection or monitoring locations;

(ii) The frequency at which sample collection or monitoring is to occur;

(iii) Sample collection or monitoring procedures;

(iv) Sample storage and preservation procedures; and

(v) Sample or monitoring analysis procedures, including any calculations required for sample or monitoring analysis;

(d) An example of the notice and necessary information that is provided to each initial recipient of the biosolids;

- (e) A copy of the information required to be maintained in accordance with paragraph (C)(2) of this rule; and
- (f) If the permittee is distributing exceptional quality biosolids, contact information for each person who receives the exceptional quality biosolids;
- (2) Beneficial user of bulk exceptional quality biosolids. The person who beneficially uses bulk exceptional quality biosolids shall develop the following information, shall retain the following information for a minimum of five years, and shall make the following information available to the director or an authorized representative upon request:

 - (a) Records showing that the bulk exceptional quality biosolids were not stored for more than ninety days at any beneficial use site, in accordance with paragraph (E)(2) of rule 3745-40-07 of the Administrative Code;
 - (b) Records showing that the beneficial use requirements in rule 3745-40-08 of the Administrative Code have been met at each beneficial use site including, but not limited to:

 - (i) The soil phosphorous levels for each beneficial use site;
 - (ii) The agronomic rate calculations for each beneficial use site;
 - (iii) Forecast or actual precipitation data in accordance with paragraphs (B)(1) and (B)(2) of rule 3745-40-08 of the Administrative Code; and
 - (iv) If applicable, the monitoring records for all beneficial use sites with subsurface tile drainage in accordance with paragraph (B)(6) of rule 3745-40-08 of the Administrative Code;
 - (c) A description of how the agronomic rate is met at each beneficial use site including, but not limited to, how the beneficial use application equipment is calibrated; and
 - (d) The date the bulk exceptional quality biosolids were beneficially used on each beneficial use site and the quantity of bulk exceptional quality biosolids (in dry tons) that were beneficially used on each beneficial use site on that date;
- (3) Permittee of class B biosolids. In addition to the recordkeeping requirements in rule 3745-40-04 of the Administrative Code, the permittee who prepares class B biosolids for the purpose of beneficial use shall develop the following

information, shall retain the following information for a minimum of five years at the treatment works, and shall make the following information available to the director or an authorized representative upon request:

(a) The results of all analyses as required in paragraph (B) of rule 3745-40-09 of the Administrative Code;

(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 reduction requirements in rule 3745-40-04 of the Administrative Code and the vector attraction reduction requirement in [insert one of the vector attraction reduction options in rule 3745-40-04 of the Administrative Code, Option VAR-1 to Option VAR-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 and imprisonment."

(c) A narrative description, in the form of a standard operating procedure, of how the pathogen reduction alternative being utilized meets the applicable requirements of the pathogen reduction alternative, in accordance with paragraphs (B)(1) to (B)(7) of rule 3745-40-04 of the Administrative Code and, if applicable, a narrative description, in the form of a standard operating procedure, of how the vector attraction reduction alternative being utilized meets the applicable requirements of the vector attraction reduction alternative, in accordance with paragraphs (C)(1) to (C)(8) of rule 3745-40-04 of the Administrative Code. The standard operating procedure shall include at a minimum, when applicable:

(i) Sample collection or monitoring locations;

(ii) The frequency at which sample collection or monitoring is to occur;

(iii) Sample collection or monitoring procedures;

(iv) Sample storage and preservation procedures; and

(v) Sample or monitoring analysis procedures, including any calculations required for sample or monitoring analysis;

(d) An example of the notice and necessary information that is provided to the beneficial user, land owner, and farm operator;

(e) A copy of the application for an authorization for a beneficial use site and

the Ohio environmental protection agency beneficial use site authorization letter for each beneficial use site that is utilized for beneficial use; and

(f) A copy of the information required to be maintained in accordance with paragraph (C)(4) of this rule;

(4) Beneficial user of class B biosolids. The person who beneficially uses class B biosolids shall develop the following information, shall retain the following information for a minimum of five years, and shall make the following information available to the director or an authorized representative upon request:

(a) The following certification statement:

"I certify, under penalty of law, that the information that will be used to determine compliance with the storage requirements of rule 3745-40-07 of the Administrative Code, the beneficial use requirements of rule 3745-40-08 of the Administrative Code, and the vector attraction reduction requirement in [insert either vector attraction reduction option 9 or 10 from paragraph (C) of rule 3745-40-04 of the Administrative Code, if applicable] rule 3745-40-04 of the Administrative Code, 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."

(b) Records showing that the class B biosolids were not stored for more than ninety days at the beneficial use site, in accordance with paragraph (E)(2) of rule 3745-40-07 of the Administrative Code;

(c) Records showing that the beneficial use requirements in rule 3745-40-08 of the Administrative Code have been met at each beneficial use site including, but not limited to:

(i) The soil pH for each beneficial use site;

(ii) The soil phosphorous levels for each beneficial use site;

(iii) The agronomic rate calculations for each beneficial use site;

(iv) Forecast or actual precipitation data in accordance with paragraphs (B)(1) and (B)(2) of rule 3745-40-08 of the Administrative Code;

(v) If applicable, the monitoring records for all beneficial use sites with subsurface tile drainage in accordance with paragraph (B)(6) of

rule 3745-40-08 of the Administrative Code; and

(vi) The sign placement records for all authorized beneficial use sites in accordance with paragraph (D) of rule 3745-40-11 of the Administrative Code;

(d) A description of how the agronomic rate is met at each beneficial use site including, but not limited to, how the beneficial use application equipment is calibrated;

(e) If applicable, a narrative description of how the vector attraction reduction requirements in either paragraph (C)(9) or (C)(10) of rule 3745-40-04 of the Administrative Code are met at each beneficial use site. At a minimum, this description shall include the following:

(i) If VAR-9 is being performed in accordance with paragraph (C)(9) of rule 3745-40-04 of the Administrative Code, a description of:

(a) The equipment utilized to inject the biosolids; and

(b) How the beneficial user ensures that there is not a significant amount of the biosolids present on the surface of the authorized beneficial use site; or

(ii) If VAR-10 is being performed in accordance with paragraph (C)(10) of rule 3745-40-04 of the Administrative Code, a description of:

(a) The date and time the sewage sludge was delivered to the authorized beneficial use site;

(b) The date and time class B biosolids were incorporated into the soil of the authorized beneficial use site;

(c) The equipment utilized to incorporate the biosolids; and

(d) How the beneficial user ensures that the biosolids are mixed with soil to a minimum depth of four inches or greater on the authorized beneficial use site;

(f) The date class B biosolids were beneficially used at each authorized beneficial use site and the quantity of class B biosolids (in dry tons) that were beneficially used at each authorized beneficial use site on that date; and

(g) A copy of the information provided to the farm operator in accordance with paragraph (C) of rule 3745-40-05 of the Administrative Code;

(5) Permittee who generates class B biosolids subject to cumulative pollutant loading rates. In addition to the recordkeeping requirements in rule 3745-40-04 of the Administrative Code, the permittee who prepares class B biosolids that are subject to cumulative pollutant loading rates, for the purpose of beneficial use, shall develop the following information, shall retain the following information for a minimum of five years at the treatment works, and shall make the following information available to the director or an authorized representative upon request:

(a) The results of all analyses as required in paragraph (B) of rule 3745-40-09 of the Administrative Code;

(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 reduction requirements in rule 3745-40-04 of the Administrative Code and the vector attraction reduction requirement in [insert one of the vector attraction reduction options in rule 3745-40-04 of the Administrative Code, Option VAR-1 to Option VAR-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 and imprisonment."

(c) A narrative description, in the form of a standard operating procedure, of how the pathogen reduction alternative being utilized meets the applicable requirements of the pathogen reduction alternative, in accordance with paragraphs (B)(1) to (B)(7) of rule 3745-40-04 of the Administrative Code and, if applicable, a narrative description, in the form of a standard operating procedure, of how the vector attraction reduction alternative being utilized meets the applicable requirements of the vector attraction reduction alternative, in accordance with paragraphs (C)(1) to (C)(8) of rule 3745-40-04 of the Administrative Code. The standard operating procedure shall include at a minimum, when applicable:

(i) Sample collection or monitoring locations;

(ii) The frequency at which sample collection or monitoring is to occur;

(iii) Sample collection or monitoring procedures;

(iv) Sample storage and preservation procedures; and

(v) Sample or monitoring analysis procedures, including any

calculations required for sample or monitoring analysis:

- (d) An example of the notice and necessary information that is provided to the beneficial user, land owner, and farm operator;
 - (e) A copy of the application for an authorization for a beneficial use site and the Ohio environmental protection agency beneficial use site authorization letter for each beneficial use site that is utilized for beneficial use; and
 - (f) A copy of the information required to be maintained in accordance with paragraph (C)(6) of this rule;
- (6) Beneficial user of class B biosolids subject to cumulative pollutant loading rates. The person who beneficially uses class B biosolids subject to cumulative pollutant loading rates shall develop the following information, shall retain the following information indefinitely, and shall make the following information available to the director or an authorized representative upon request:
- (a) The location, by either street address or latitude and longitude, of each beneficial use site on which class B are beneficially used;
 - (b) The number of acres of each beneficial use site where the class B biosolids are beneficially used;
 - (c) The date the class B biosolids were beneficially used at the beneficial use site;
 - (d) The cumulative amount, in pounds per acre, of each metal listed in table D-2 of rule 3745-40-04 of the Administrative Code that is beneficially used at each beneficial use site;
 - (e) The amount of class B biosolids, measured in dry tons, that are beneficially used at each beneficial use site;
 - (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 paragraph (D)(5) of rule 3745-40-04 of the Administrative Code was prepared for each beneficial use site on which bulk biosolids 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."

(g) A description of how the requirements to obtain information in paragraph (D)(5) of rule 3745-40-04 of the Administrative Code are met;

(h) A copy of the notification given to Ohio environmental protection agency in accordance with paragraph (D)(6) of rule 3745-40-04 of the Administrative Code;

(i) The following certification statement:

"I certify, under penalty of law, that the information that will be used to determine compliance with the storage requirements of rule 3745-40-07 of the Administrative Code, the beneficial use requirements of rule 3745-40-08 of the Administrative Code, and the vector attraction reduction requirement in [insert either vector attraction reduction option VAR-9 or VAR-10 from paragraph (C) of rule 3745-40-04 of the Administrative Code, if applicable] in rule 3745-40-04 of the Administrative Code, 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."

(j) Records showing that the class B biosolids were not stored for more than ninety days at the beneficial use site, in accordance with paragraph (E)(2) of rule 3745-40-07 of the Administrative Code; and

(k) Records showing that the beneficial use requirements in rule 3745-40-08 of the Administrative Code have been met at each beneficial use site including, but not limited to:

(i) The soil pH for each beneficial use site;

(ii) The soil phosphorous levels for each beneficial use site;

(iii) The agronomic rate calculations for each beneficial use site;

(iv) Forecast or actual precipitation data in accordance with paragraphs (B)(1) and (B)(2) of rule 3745-40-08 of the Administrative Code;

(v) If applicable, the monitoring records for all beneficial use sites with subsurface tile drainage in accordance with paragraph (B)(6) of rule 3745-40-08 of the Administrative Code; and

(vi) The sign placement records for all authorized beneficial use sites in accordance with paragraph (D) of rule 3745-40-11 of the Administrative Code;

- (l) A description of how the agronomic rate is met at each beneficial use site including, but not limited to, how the beneficial use application equipment is calibrated;
- (m) If applicable, a narrative description of how the vector attraction reduction requirements in either paragraph (C)(9) or (C)(10) of rule 3745-40-04 of the Administrative Code are met at each site. At a minimum, this description shall include the following:

 - (i) If VAR-9 is being performed in accordance with paragraph (C)(9) of rule 3745-40-04 of the Administrative Code, a description of:

 - (a) The equipment utilized to inject the biosolids; and
 - (b) How the beneficial user ensures that there is not a significant amount of the biosolids present on the surface of the authorized beneficial use site; or
 - (ii) If VAR-10 is being performed in accordance with paragraph (C)(10) of rule 3745-40-04 of the Administrative Code, a description of:

 - (a) The date and time the sewage sludge was delivered to the authorized beneficial use site;
 - (b) The date and time class B biosolids were incorporated into the soil of the authorized beneficial use site;
 - (c) The equipment utilized to incorporate the biosolids; and
 - (d) How the beneficial user ensures that the biosolids are mixed with soil to a minimum depth of four inches or greater on the authorized beneficial use site; and
- (n) A copy of the information provided to the farm operator in accordance with paragraph (C) of rule 3745-40-05 of the Administrative Code; and
- (7) Beneficial user of class B or bulk exceptional quality biosolids. The beneficial user of class B or bulk exceptional quality biosolids shall develop and maintain the following information at the beneficial use site during the period class B or bulk exceptional quality biosolids are beneficially used:

 - (a) The name of the permittee who generates the class B or bulk exceptional quality biosolids being beneficially used at the beneficial use site;
 - (b) A site map of the beneficial use site that, at a minimum, depicts the area

where beneficial use is to occur:

- (c) The agronomic rate of class B or bulk exceptional quality biosolids calculated for the beneficial use site; and
- (d) The applicable isolation distances for the beneficial use of class B or bulk exceptional quality biosolids that must be satisfied at the beneficial use site.

(D) Annual reporting requirements. A permittee shall submit an annual sewage sludge or biosolids report to the director or an authorized representative. The annual sewage sludge or biosolids report shall include, but not be limited to:

- (1) The information requested in the Ohio environmental protection agency annual sewage sludge report, including copies of all certification statements required in paragraph (C) of rule 3745-40-09 of the Administrative Code; and

[Comment: The Ohio environmental protection agency annual sewage sludge report can be found on the agency's web site at the following web link: www.epa.ohio.gov/dsw/sludge/biosolid.aspx.]

- (2) Any records, as required in accordance with rule 3745-40-04 of the Administrative Code.

Replaces: 3745-40-07

Effective:

R.C. 119.032 review dates:

Certification

Date

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