



## **Statewide General Permit for Biosolids Management**

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# 1. Overview and Changes

## 1.1. Introduction

The Washington State Legislature authorized Ecology to implement a state biosolids management program ([Chapter 70A.225 RCW - Municipal Sewage Sludge-Biosolids](#)<sup>1</sup>). The state biosolids program is based on rules adopted by the Department of Ecology ([Chapter 173-308 WAC - Biosolids Management](#)<sup>2</sup>). Ecology issues this general permit to implement the rules, including additional or more stringent requirements that may be necessary to ensure proper management of biosolids in specific circumstances.

Ecology uses accepted best management practices from state and federal guidelines and other authoritative sources to determine permit conditions, and to establish additional or more stringent requirements for individual sites and facilities. Input from the public may also inform the agency and lead to additional or more stringent requirements for a specific facility or land application site. Examples of commonly used state guidance include Ecology's [Biosolids Management Guidelines - WDOE 93-80](#)<sup>3</sup>, and [Managing Nitrogen from Biosolids – WDOE 99-508](#)<sup>4</sup>. The U.S. Environmental Protection Agency's (EPA) [Control of Pathogens and Vector Attraction Reduction in Sewage Sludge](#)<sup>5</sup> is an important federal guidance document. Other authoritative sources include, but are not limited, to University Cooperative Extension publications on crop nutrient needs and soil sampling.

Unless modified by this permit or an approval of coverage under this permit, the rules in Chapter 173-308 WAC are applicable. The state biosolids program, including this General Permit for Biosolids Management, intends to comply with all applicable federal rules adopted pursuant to the federal Clean Water Act, as it existed on February 4, 1987.

The state biosolids program:

- Regulates facilities that produce, treat or land apply sewage sludge or biosolids.
- Regulates beneficial uses of biosolids including application to agricultural lands, forestlands, disturbed lands, lawns and home gardens and other sites where the public might have close contact.
- Does not regulate landfill or incineration *units* where biosolids are disposed.

All facilities that qualify as a *Treatment Works Treating Domestic Sewage* (TWTDS) are subject to the applicable requirements of this permit. Existing facilities that do not have active biosolids programs are automatically covered under this permit on its effective date. Facilities with active

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<sup>1</sup> <https://app.leg.wa.gov/RCW/default.aspx?cite=70A.226&full=true>

<sup>2</sup> <https://apps.leg.wa.gov/wac/default.aspx?cite=173-308&full=true>

<sup>3</sup> <https://apps.ecology.wa.gov/publications/SummaryPages/9380.html>

<sup>4</sup> <https://apps.ecology.wa.gov/publications/SummaryPages/99508.html>

<sup>5</sup> <https://www.epa.gov/biosolids/control-pathogens-and-vector-attraction-sewage-sludge>

septage or active biosolids management programs must apply for coverage under the general permit, or an individual permit if approved to do so by Ecology.

### **1.1.1.Explanation of the Terms “Sewage Sludge”, “Biosolids”, and “Septage”**

*Sewage sludge* is the solid, semisolid, or liquid residue generated during the treatment of domestic sewage in a treatment works. *Biosolids* are produced by treating sewage sludge to meet standards that allow them to be beneficially used for their nutrient and soil conditioning value.

*Septage* is a type of biosolids that comes from septic tanks and similar systems. **In this permit, when we use the term *septage*, we mean *only* septage.**

When a facility mixes septage, sewage sludge or biosolids together in any combination, the mixture must be treated to the same standards for biosolids produced from the treatment of sewage in a wastewater treatment plant.

### **1.1.2.Jurisdiction**

This permit applies to facilities located on, and biosolids management activities that occur on, lands under the jurisdiction of the State of Washington.

Treatment works subject to the state permit program must have consent from Ecology and the receiving jurisdiction, *prior* to exporting biosolids to an out of state jurisdiction.

Treatment works located outside the jurisdiction of the state that export sewage sludge or biosolids into state jurisdiction, must do so in accordance with [WAC 173-308-130](#)<sup>6</sup>, and *may* be required to obtain coverage under this permit and/or pay a fee.

### **1.1.3.Persons Required to Apply for Coverage under this Permit**

Unless you are obtaining an individual permit in accordance with [WAC 173-308-310](#)<sup>7</sup>, you must apply for coverage under this permit if you own or operate a treatment works treating domestic sewage, including but not limited to:

- Publicly owned treatment works.
- Privately owned treatment works that treat *only* domestic sewage, *or* treat domestic sewage *separately* from industrial wastewater.
- Septage management facilities (SMF).
- Beneficial use facilities (BUF).
- Facilities that compost biosolids, unless exempt under WAC 173-308-310(1)(a)<sup>7</sup>.
- Facilities designated by Ecology as a treatment works treating domestic sewage in accordance with WAC 173-308-310(1)(b)<sup>7</sup>

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<sup>6</sup> <https://apps.leg.wa.gov/wac/default.aspx?cite=173-308-130>

<sup>7</sup> <https://apps.leg.wa.gov/wac/default.aspx?cite=173-308-310>

- Facilities that mix non-exceptional quality biosolids with other material, including other biosolids.
- Facilities that combine septage with biosolids for treatment, prior to beneficial use.

#### **1.1.4. Activities Regulated Under this Permit**

All TWTDS are subject to coverage under this permit. This permit establishes standards and requirements for the following:

- Treatment of sewage sludge or biosolids prior to beneficial use, disposal in a landfill, or incineration.
- Application of non-exceptional quality biosolids to the land, including agricultural lands, forestlands, land reclamation sites, and public contact sites.
- Application of septage to the land.
- Disposal of sewage sludge in municipal solid waste landfills or incinerators.
- Selling or giving away biosolids in bags or other containers with a capacity of one metric ton (1.1 U.S. tons), or less.
- Storing sewage sludge or biosolids.
- Transferring sewage sludge or non-exceptional quality biosolids from one facility to another, including for incineration or disposal in a landfill.
- Composting non-exceptional quality biosolids.
- Producing and selling or giving away exceptional quality biosolids derived from non-exceptional quality biosolids.

#### **1.1.5. Local Health Jurisdiction Involvement**

Ecology may authorize a local jurisdictional health authority to assist in implementation and administration of permits. When applying for coverage under this permit, contact Ecology to find out the status of delegation agreements in the areas where you treat, store, transfer, or apply biosolids to the land. Regardless of delegation, you should always be responsive to the inquiries of a local jurisdictional health authority.

#### **1.1.6. Role of EPA**

The United States Environmental Protection Agency (EPA) has a responsibility for implementing a national biosolids management program and establishes requirements and management practices for the use and disposal of biosolids in [40 CFR Part 503](#)<sup>8</sup>. EPA and Ecology work cooperatively on program implementation. EPA provides periodic technical assistance to the state. In return, the state provides information on request to EPA regarding biosolids management in Washington.

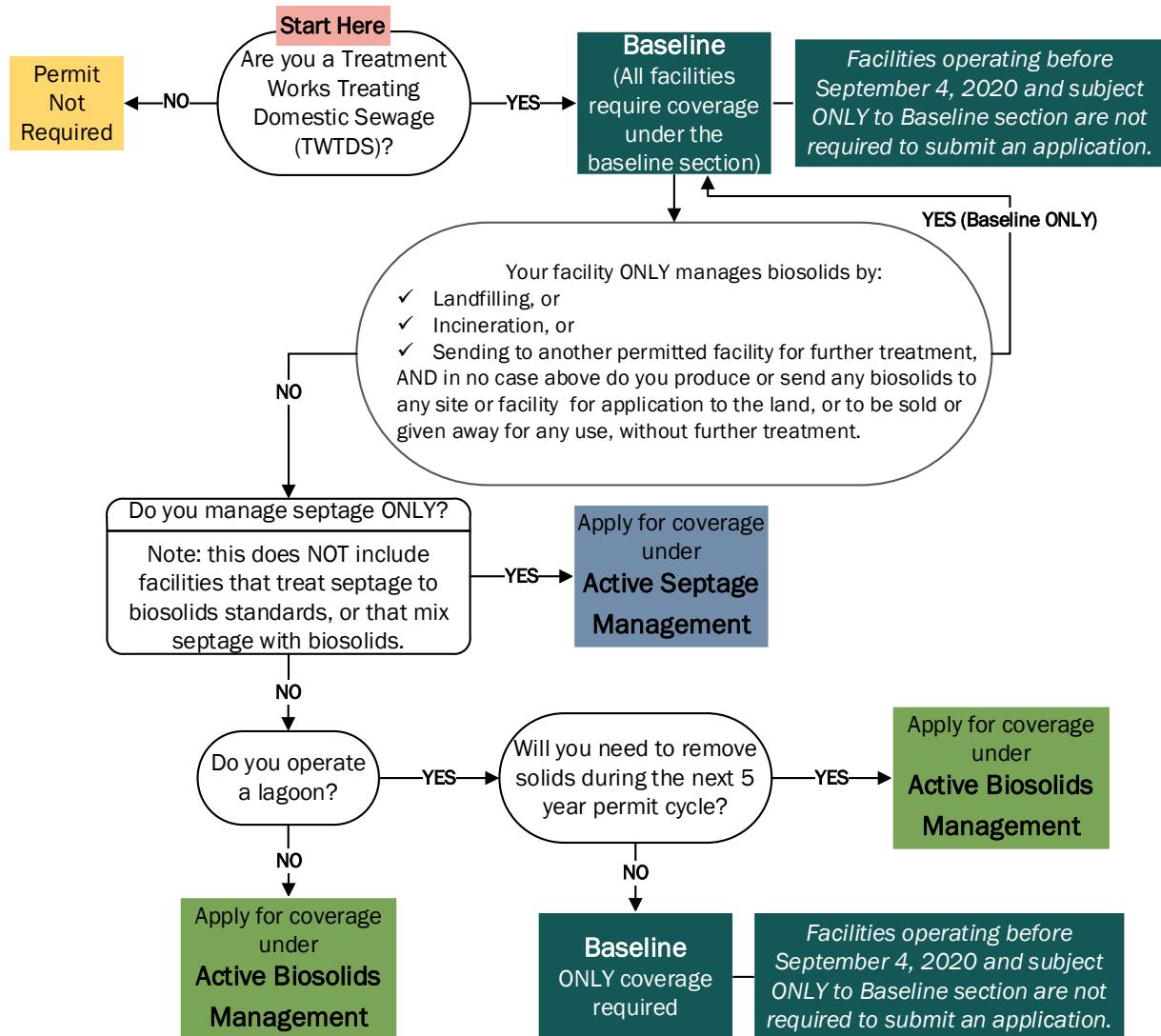
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<https://www.ecfr.gov/current/title-40/chapter-I/subchapter-O/part-503>

## 1.2. Structure of this General Permit

The flowchart below provided by Ecology can be used to identify what sections of the permit your facility is subject to. Facilities should consult their regional biosolids coordinators with any questions.

Figure 1 – Permit Sections Flow Chart



### 1.2.1. Baseline Section

The Baseline section (2) establishes general requirements that are applicable to all facilities. It also establishes specific requirements for some facilities so that they are not required to submit a permit application.

Sections (3) and (4) cover active septage management facilities and active biosolids management facilities, respectively. Facilities without active management programs do not require coverage under section (3) or (4).

The active biosolids management and active septage management portions of this permit are not applicable if:

- You *only* send biosolids to another facility for further treatment before final use or disposal.
- You *only* dispose of the biosolids you produce in a landfill or incinerator (you may be required to develop and implement a beneficial use program).
- You operate a surface impoundment and do not expect to remove solids during the five-year term of this permit. *Note: If you operate a wastewater treatment facility with a surface impoundment and believe you will need to remove solids during the five-year term of the permit, you are also subject to section (4) for active biosolids management programs. Please contact your regional biosolids coordinator for guidance.*
- **AND** in no case above do you produce or send any biosolids to any site or facility for application to the land, or to be sold or given away for any use, without further treatment.

### **1.2.2. Active Septage Management Section**

Section (3) of this permit applies to facilities that treat and/or land apply *only* septage.

Pumpers and others who *only* service onsite wastewater treatment systems and/or portable toilets and similar systems, and do *not* treat or land apply septage, are not subject to this permit.

If you receive only septage and treat it to standards for biosolids derived from sewage sludge, you are subject to section (4) for facilities with active biosolids management programs.

You are subject to the active septage management section (3) of this permit if:

- You treat *only* septage (not a mixture of septage and biosolids). Facilities that mix septage and biosolids fall under section (4) of this permit for facilities with active biosolids management programs.
- You land apply *only* septage. This does not include facilities that treat septage to biosolids standards for pathogen reduction, vector attraction reduction, and pollutants. Those facilities fall under section (4) of the permit, for facilities with active biosolids management programs.

### **1.2.3. Active Biosolids Management Section**

Section (4) of this permit applies to facilities with active biosolids management programs, but not those that manage only septage (1.2.2 above).

You are subject to the active biosolids management section (4) of this permit if:

- You apply biosolids (or septage treated to standards for biosolids generated at a wastewater treatment plant) to sites approved *specifically for you*.
- You sell or give away biosolids you treat to *exceptional quality* standards.
- You treat and send biosolids to another facility for land application.

- You treat septage to meet Class A or B pathogen reduction.
- You treat septage, sewage sludge, or biosolids together in any combination to meet Class A or B pathogen reduction.
- You are a *beneficial use facility* (BUF) as defined in [WAC 173-308-080](#)<sup>9</sup>.
- You receive non-exceptional quality biosolids for further treatment, except for compost facilities operating only under a local solid waste permit in accordance with [WAC 173-308-310\(1\)\(a\)](#)<sup>7</sup>
- You operate a surface impoundment and expect to remove solids during the five-year term of the permit. Consult your regional biosolids coordinator for guidance.

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<sup>9</sup> <https://apps.leg.wa.gov/wac/default.aspx?cite=173-308-080>

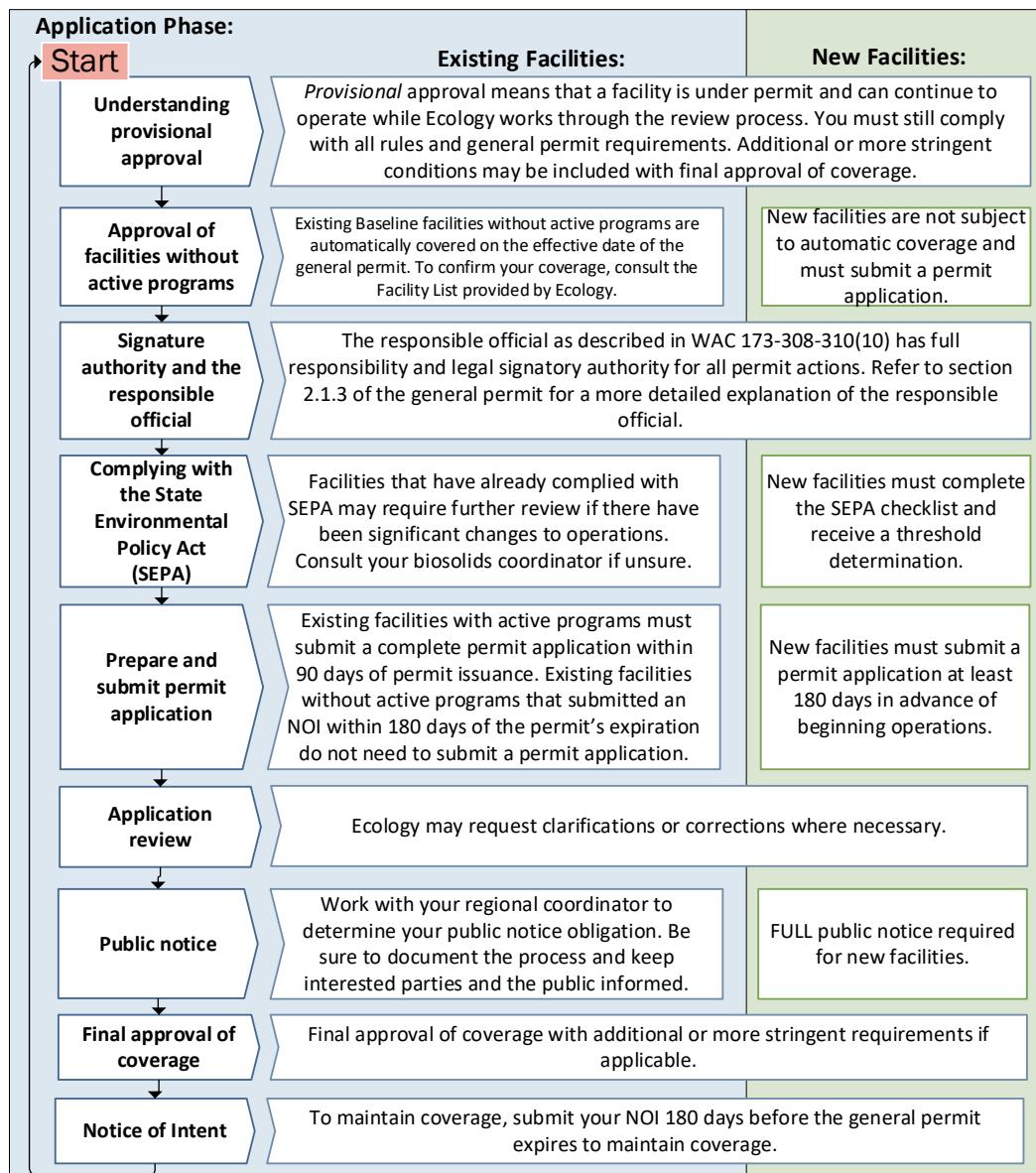
## 2. Baseline Requirements Applicable to All Facilities

The requirements of this section apply to all persons and facilities required to obtain permit coverage under this permit.

### 2.1. Understanding and Complying with the Permit System

The flow chart below provided by Ecology provides an overview of the permit application process for new and existing facilities.

Figure 2 – Permit Application Process Flow Chart.



### 2.1.1. Provisional Approval

**Key Concept:** A facility obtains provisional approval to operate, by submitting at the appropriate times, a permit application, or a Notice of Intent to continue coverage under a forthcoming permit. Provisionally approved facilities are under permit, but subject to additional or more stringent requirements prior to receiving final approval of coverage.

Provisional approval means that a facility demonstrates recognition of its obligation to apply for coverage under a renewing general permit, and to comply with all applicable requirements of state biosolids rules and this permit. Provisional means that Ecology can add additional or more stringent conditions with final approval of coverage. In the meantime, a facility with provisional approval is under permit and can continue to operate.

Ecology may prohibit a new facility from operating under provisional approval if the agency has not received a complete and correct application, or if the facility has not complied with requirements of the State Environmental Policy Act or this permit as required.

Facilities with provisional approval must operate in compliance with the requirements of federal and state rules, the applicable requirements of the general permit, and in accordance with their application and associated plans. **Operators are responsible to know and comply with state and federal program requirements.** A facility cannot justify noncompliance by proposing in a plan or other document in a manner contrary to requirements of the rules or general permit. **Operators must be sure their biosolids coordinator is aware of any changes to operations, including any planned changes from the previous permit.**

Provisional approval carries existing *approved* BUFs from one permit to the next. *New* BUFS cannot receive or apply biosolids to the land under provisional approval. To operate, a new BUF must have final approval of coverage with an approved general land application plan, or at least one approved site specific land application plan.

### 2.1.2. Automatic Coverage for Some Facilities.

**Key concept:** Approval of coverage is final on the effective date of this permit for facilities that do not have an active biosolids or septage management program, if they have previously complied with application and notice of intent requirements and have no significant changes to biosolids management practices.

Facilities that do not have active management programs will be automatically covered on the effective date of this permit if they have undergone environmental review and have no significant changes in biosolids management practices from the previous permit cycle. A permit application is not required from these facilities if they submitted a Notice of Intent to continue coverage, prior to expiration of the previous general permit.

Facilities that propose significant changes in biosolids management from the previous permit cycle, are not eligible for automatic coverage, must submit a permit application, and are subject to further permit review, evaluation under SEPA, and public notice prior to approval.

### 2.1.3. Responsible Official and Signature Authority

**Key concept:** *The person responsible for signing permit-related documents is usually not the operator. The responsible official cannot delegate authority to sign an application, submit a notice of intent, or request a modification of permit coverage (including a new land application site). The responsible official may delegate authority to submit reports and other required documentation. Delegation must be in writing and on file with Ecology.*

The signature of the responsible official is required:

- For a permit application
- For any request to modify the terms of permit coverage, including the addition of a new land application site
- For a notice of intent to continue coverage under a forthcoming permit
- In response to an enforcement action or other legal proceeding

**Table A1: Identifying the Responsible Official**

Facility Type	Who is the Responsible Official?
Major or Class 1 POTW	An executive or manager with <i>overall authority</i> for operation of the treatment works, such as the plant superintendent or director of public works.
Minor POTW	Mayor, county executive, or in the case of a county or special purpose district with multiple minor POTWs, an executive or official with overall responsibility for operation of all facilities.
Special Purpose Districts	The executive director or manager of the district.
Federal	Either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a federal agency includes either of the following: (A) The chief executive officer of the agency. (B) A senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.
Sole Proprietorships, Registered Partnerships, and Limited Liability Companies.	The proprietor or a partner with legal authority to make decisions on behalf of the company.
Private Corporations	A president, secretary, treasurer, or vice president of the corporation in charge of a principal business function, or any other person who performs similar policy-making or decision-making functions for the corporation.

### 2.1.3.2. Delegation of Signature Authority

**Table A2: When Signature Delegation can be Authorized**

Responsible Official Signature Required	Can signature authority be delegated?
Permit application	No
Permit modification, including new land application site	No
Notice of Intent to apply for coverage	No
Annual report	Yes. Upload signature delegation letter at the end of the online report.
Interim reports, data, minor changes and clarifications	Yes. Upload signature delegation letter, at the end of the annual report process, or send to office where report is due.

An example signature Delegation Authority Letter can be found on Ecology's webpages.

### 2.1.4. Complying with the State Environmental Policy Act (SEPA)

**Key concept:** SEPA is a process that often runs parallel with but is separate from the permit application process. Identify the SEPA Lead Agency and SEPA Responsible Official before you begin preparing your application. There is an opportunity to coordinate public notice requirements. Do not proceed with or encourage a local agency to proceed with SEPA public notice until you have verified timing with Ecology. Make an informed decision. Use Ecology's [SEPA resources online](#)<sup>10</sup>.

If further SEPA review is required for your proposal, it is to your advantage to open that line of communication early in project planning. Begin by verifying the SEPA Lead Agency and the SEPA staff with whom you will work. If a local government entity such as a publicly owned treatment works is making a proposal, the SEPA Lead Agency is generally a local government body. For privately owned facilities, the SEPA Lead Agency will be either a local government body or Ecology.

The application package and SEPA Checklist work hand-in-hand. If another agency is the SEPA Lead Agency, Ecology will expect the application packet to include the SEPA Threshold Determination, associated SEPA Checklist, and if required, proof of public notice often referred to as an Affidavit of Publication." Ecology cannot accept a verbal assurance about the determination of the SEPA Responsible Official. If Ecology is the SEPA Lead Agency, we will expect a complete application package, including a SEPA checklist, prior to making our threshold determination.

If SEPA and biosolids permit processes are running in parallel, it is possible to issue a combined public notice. The combined public notice includes opportunity for public review and comment on both the SEPA threshold determination and the biosolids permit. That will extend the SEPA review period from fourteen days to the minimum required for the biosolids general permit, of thirty days. If you post a combined public notice, you must include contact information for the

<sup>10</sup> <https://ecology.wa.gov/regulations-permits/SEPA-environmental-review>

SEPA Lead Agency as well as Ecology. Alternatively, you may complete the public review process for SEPA process before proceeding with public notice on your permit application.

### 2.1.5. Preparing a Permit Application

**Key Concept:** *Review application requirements before you begin. Ecology will work with applicants, but may reject applications that are substantially incomplete or incorrect. A poor application will delay final approval, may reflect unfavorably on your operations in the view of the public, and your activities may be restricted.*

You can obtain the current version of the Application for Coverage form, from [Ecology's biosolids webpages](#)<sup>11</sup>.

Identify the Ecology regional biosolids coordinator for your proposal. You can find contact information on the application form or [online](#)<sup>12</sup>. Identify your facility's responsible official – the person with authority to sign your application (see 2.1.3), and identify the SEPA Lead Agency and SEPA Responsible Official or SEPA staff you will work with (see 2.1.4).

Ecology will not approve public notice until your application is complete, correct, and prepared in a manner that a reasonably knowledgeable person can understand.

### 2.1.6. Submitting a Permit Application

**Key concept:** *Reduce delays in processing by submitting a complete and correct permit application. Follow instructions provided within the application, and supplemental direction from your regional biosolids coordinator.*

When an application is required, you must submit a complete and correct application, including all associated plans and other documentation. You can find instructions on how to submit an application and required contents in the application form and online<sup>11</sup>.

The application process for new facilities (not individual land application sites) is the same as for existing facilities, with the following exceptions and points of emphasis:

- New facilities must apply at least 180 days in advance of beginning operations. You may not submit an application for coverage with the assumption that you can immediately begin work.
- New facilities always require a completed SEPA checklist and threshold determination.
- New facilities require full public notice, including notice of your permit application and SEPA threshold decision, and notice of a public hearing if applicable.

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<sup>11</sup> <https://ecology.wa.gov/Biosolids-fees-forms-annual-reports>

<sup>12</sup> <https://ecology.wa.gov/Biosolids>

## 2.1.7. Ecology Review of Applications and Other Documents

**Key Concept:** Your application and all related documentation and correspondence are a matter of public record. The review process ensures that your application is ready for public review. Ecology will not approve public notice if your application is inadequate.

Ecology will review all documentation submitted as part of the permit application process. We may ask you to clarify or correct your application, or to submit additional information. Ecology may determine that changes and/or supplemental information are necessary to support your proposal. Ecology may add additional or more stringent requirements as a condition of final approval of coverage.

## 2.1.8. Public Notice Requirements

**Key Concept:** Determine your public notice obligations (including SEPA). Be sure to document all steps you take to inform the public and specific interested parties. Pay special attention to anyone you identify as, or who has notified you asking to be identified as, an "interested party." You are responsible for notice. Ecology can coordinate and assist you.

All facilities applying for permit coverage for the first time, or proposing a permit modification, must meet the public notice requirements of [WAC 173-308-310\(13\)](#)<sup>7</sup>. There are different reasons and standards for public notice under this permit, including:

- Initial / new facility application.
- Renewing facility coverage and applying non-exceptional quality biosolids or septage to the land.
- Modification of existing coverage, including the addition of a general land application plan or a new land application site.
- Compliance with requirements of the State Environmental Policy Act.
- In response to an enforcement action or administrative order.
- When otherwise required by Ecology.

Do not undertake public notice until you have consulted with your regional biosolids coordinator. Work with both your regional biosolids coordinator and SEPA Responsible Official to determine notice requirements and timing. Applicants are responsible for the cost of publication of notice (in newspapers and other places) associated with obtaining coverage under this permit, and any modifications. This includes the cost of printing and posting signs when required.

### 2.1.8.1. Interested Parties

You must ensure notification of permit actions, including modifications, to all interested parties. Someone is an interested party if:

- They have informed you in writing.
- They have commented on your permit application or other public process, and provided their contact information.
- They have attended a public event for your permit, and provided contact information (whether or not they have commented).

**Important:** Be sure to notify your regional biosolids coordinator if anyone asks you to include them on your interested parties list. Failure to notify interested parties can jeopardize your permit status.

### 2.1.9. Public Hearings

**Key Concept:** *Not all applications or proposals require a public hearing. If you think a hearing may be required, discuss that with your regional coordinator early in your application process.*

A permit application or proposal does not require a public hearing *unless* Ecology stipulates. Ecology may require a public hearing if the agency believes there is a significant public interest in your application or proposal. We may make that determination independently, or based on comments we receive during the public notice period. Applicants are responsible for costs of a public hearing.

If you believe Ecology will likely require a public hearing for your project, you can save time and reduce costs by foregoing the initial notice and request for comments (where people might request a hearing), and going directly to notification for the public hearing. If you think this would help with your permit process, discuss how to proceed with your regional biosolids coordinator.

### 2.1.10. Final Approval of Coverage

**Key concept:** *A final approval of coverage (including approval of permit modifications) may contain additional or more stringent requirements specifically for your facility. Be sure to review and understand them, in addition to the other requirements of the general permit.*

After the comment period closes, Ecology will evaluate all comments received. Once we complete our review, we will issue a final determination in writing. An approval of coverage may or may not contain additional or more stringent requirements.

Ecology will notify interested parties regarding final approvals, but you must ensure notification to anyone who has advised you that they are an interested party. See 2.1.8 and 2.1.8.1.

### **2.1.11. Permit modifications.**

Significant changes in biosolids management practices, including but not limited to the addition of new land application sites, are permit modifications. Ecology will approve permit modifications per the process in 2.1.3 – 2.1.10 above.

### **2.1.12. Notice of Intent**

***Key Concept:*** *Submit your notice of intent promptly if you want to preserve coverage into the new permit and avoid significant additional processes and fees. Be sure you update your contact information, and that the responsible official (see 2.1.3) signs the notice of intent.*

Before this permit expires, Ecology will notify facilities to submit a Notice of Intent to continue coverage. A completed and properly signed Notice of Intent is due to Ecology no later than 180 days before this permit expires. The Notice of Intent represents a facility's commitment to continue coverage under the next general permit. The Notice of Intent preserves coverage under an expired permit until the expired permit is formally canceled or a replacement has been issued. *Failure to submit a Notice of Intent may result in loss of coverage, the need to reapply as a new facility and revisit public notice, and significant additional fees.* You must submit your Notice of Intent on a form and in a manner specified by Ecology. New approvals (e.g. new facilities) and modifications of existing approved coverage (e.g. a new land application site for an existing facility) cannot be granted under the authority of an expired permit.

## **2.2. Obtaining and Maintaining Coverage**

All facilities subject to coverage under the current general permit, except existing Baseline only facilities, must submit a complete permit application within 90 days of issuance of a new or replacement general permit.

Ecology may grant a request for an extension of up to 90 additional days for the submittal of a permit application, after approval of written justification from the facility responsible official. Facilities wishing to request an extension should work through their regional biosolids coordinator.

New facilities must submit a complete permit application 180 days in advance of beginning operations.

## 2.3. Maintaining Contact Information

All facilities must notify regional coordinators of any changes to contact information. This includes providing *and* updating as necessary the name, title, physical address, mailing address, and a valid, *actively monitored* email address for the following contacts.

- *Responsible Official*: The person who has full responsibility and legal signatory authority for all permit actions. Refer to 2.1.3 of this permit for an explanation of the Responsible Official.
- *Primary Contact*: The person who will normally serve as the first line of communication for routine permit and operational inquiries.
- *Billing Contact*: The person who will receive all invoices and assure timely payment of fees.

### 2.3.1. Identifying the Responsible Official

All permittees must identify a responsible official. *The responsible official may serve as the primary contact and/or billing contact*. The responsible official is typically not the operator (see 2.1.3). All facilities must notify Ecology within 30 days of any change in information for the contacts above.

### 2.3.2. Email List Membership Required

All facilities must provide and maintain at least one point of contact on the Ecology-Biosolids email list maintained by Ecology. This email list is the mechanism of general communication on technical and permit related issues. Permittees must monitor email list communications and respond if required. You can [subscribe or manage your subscription here](#)<sup>13</sup>.

## 2.4. Requirements for Transporting Sewage Sludge or Biosolids

Transportation of biosolids must be consistent with an Ecology-approved spill response plan.

All generators are responsible for ensuring the safe and properly documented transportation of biosolids they generate, from the time of generation through the time of final use or disposal. This does not apply to septic pumping trucks that are not required to obtain coverage under this permit, including those that deliver septic to septic management facilities, because they are not identified as generators.

Any facility subject to this permit is responsible for the performance of any contractor or subcontractor they retain for the transportation of biosolids. Transporters must comply with Title 81 RCW and rules adopted thereunder, as applicable.

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<sup>13</sup> [https://public.govdelivery.com/accounts/WAECY/subscriber/new?topic\\_id=WAECY\\_47](https://public.govdelivery.com/accounts/WAECY/subscriber/new?topic_id=WAECY_47)

Non-exceptional quality biosolids may be transported only to another facility for further treatment, an approved land application site, an approved storage site, or an approved disposal facility.

#### **2.4.1. Transporting non-exceptional quality biosolids out of the jurisdiction of the State of Washington**

Generators must have approval from Ecology and the receiving regulatory authority before transporting non-exceptional quality biosolids out of the jurisdiction of the State of Washington

#### **2.4.2. Accepting Biosolids from Federal, Tribal, or Out of State Facilities**

Treatment works must have written approval from Ecology before accepting biosolids from a federal, tribal, or out of state facility.

This provision is not meant to impact pumping trucks servicing onsite wastewater systems, and delivering septic to facilities within state jurisdiction. This provision is meant to identify out of jurisdiction facilities that participate in the state program and ensure that they are treated the same as those within state jurisdiction.

Treatment works subject to this permit, may not accept biosolids for further treatment or disposal unless the generating treatment works complies with the following requirements.

Generating facilities must:

- Comply with the requirements of [WAC 173-308-130](#)<sup>3</sup> and [WAC 173-308-320](#)<sup>14</sup>.
- Have and comply with an Ecology approved spill response plan.
- Ensure that a copy of the spill response plan is available to drivers, and in the event of a spill, ensure that drivers understand what to do.
- Ensure that an accurate record of all loads is kept and available for inspection, including the source of biosolids, the destination of biosolids, the amount transported, how that was determined (scale ticket, calculation based on solids content), and the date of transportation and delivery.
- Ensure that the generating and receiving facilities receive a copy of the record of biosolids transported.

### **2.5. Surface Impoundments and Tanks Used for Storage and Treatment**

All facilities must store and treat biosolids consistent with approved plans, and in a manner that is not likely to result in harm to human health or the environment. Facilities storing biosolids for more than two years must have a documented commitment to beneficial use on file with Ecology.

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<sup>14</sup> <https://apps.leg.wa.gov/wac/default.aspx?cite=173-308&full=true#173-308-320>

### 2.5.1. Surface Impoundments Used for Storage or Treatment

Surface impoundments must be designed and operated in accordance with the standards of [Chapter 173-350 WAC – Solid Waste Handling Standards](#)<sup>15</sup>, unless they are operating in compliance with a current state, or federal water pollution control permit, or another environmental permit.

The following requirements do not apply to surface impoundments at septic management facilities and facilities that mix primarily septic with smaller amounts of biosolids (mixing facilities) unless specified as an additional or more stringent requirement as part of the permit approval process.

Facilities that operate surface impoundments must annually report:

- The estimated remaining capacity for biosolids accumulation to the nearest half foot.
  - Capacity must not include any portion of freeboard required to preserve the structural integrity of the surface impoundment or to prevent it from overtopping.
- The estimated year when solids removal will be required to stay within capacity or prevent violations of discharge limits
- Begin planning and notify Ecology at least one year in advance of solids removal. *Ecology encourages a planning horizon of two years to ensure availability of alternatives and reduce project costs.*
- Analyze for the pollutants in [WAC 173-308-160 Table 1](#)<sup>16</sup>, within 24 months of the date this permit is issued, unless biosolids were analyzed on or after September 1, 2019.
  - Notify the regional biosolids coordinator if the concentration of any pollutant is above 90% of the value in WAC 173-308-160 Table 3 or the Table 1 value for Molybdenum.

### 2.5.2. Tanks Used for Storage or Treatment

This section does not apply to wastewater treatment plants operating under an NPDES or State Waste Discharge Permit.

Facilities storing biosolids in tanks must:

- Do so in a manner that would not be likely to result in the contamination of groundwater, surface water, air, or land under current conditions or in the case of fire or flood.
- Protect tanks from damage by placement of bollards or other devices.
- Maintain tanks to avoid leakage and catastrophic failure.
- Submit and follow an inspection and maintenance schedule consistent with requirements for the type of tank in service.

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<sup>15</sup> <https://apps.leg.wa.gov/wac/default.aspx?cite=173-350-330>

<sup>16</sup> <https://apps.leg.wa.gov/wac/default.aspx?cite=173-308-160>

## 2.6. Requirements for Disposal in a Municipal Solid Waste Landfill or Incinerator

Disposal includes landfill disposal and incineration. Per statute, the State of Washington recognizes biosolids as a valuable and beneficial commodity. Ecology will not approve permit applications for disposal or incineration of biosolids except as described in this section.

Any treatment works transferring biosolids to another facility for the purpose of disposal must have written approval from Ecology, and meet the criteria for disposal on an *emergency, temporary or long-term* basis as specified in 2.6.3 below.

### 2.6.1. Incineration

This permit authorizes the wastewater treatment plants with existing incinerators listed below, to continue incinerating sewage sludge (in keeping with the definitions in [Chapter 173-308](#)<sup>2</sup>, descriptions in [40 CFR Part 503](#)<sup>8</sup>, and [40 CFR Part 62, Subpart LLL](#)<sup>17</sup>) or biosolids they generate, and to accept sewage sludge or biosolids for incineration from other facilities when they meet applicable requirements of 2.6.3:

- Anacortes WWTP
- Bellingham Post Point WWTP
- Edmonds WWTP
- Lynnwood WWTP
- Vancouver Westside WWTF

### 2.6.2. Landfill Disposal

Facilities disposing in a landfill must meet the applicable requirements in 2.6.3 below, comply with the landfill disposal requirements in [WAC 173-308-300](#)<sup>18</sup>, and provide Ecology with written approval from the local health jurisdiction where the biosolids will be disposed.

### 2.6.3. Terms of Disposal

#### 2.6.3.1. Justification for Disposal on an Emergency Basis

This permit approves the disposal of biosolids for all facilities for up to one year when disposal meets the definition of *disposal on an emergency basis* in [WAC 173-308-080](#)<sup>9</sup>.

Any facility undertaking emergency disposal must notify Ecology in writing, including a summary of the conditions warranting disposal.

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<sup>17</sup> <https://www.ecfr.gov/current/title-40/chapter-I/subchapter-C/part-62/subpart-LLL?toc=1>

<sup>18</sup> <https://apps.leg.wa.gov/wac/default.aspx?cite=173-308-300>

### **2.6.3.2. Justification for Disposal on a Temporary Basis**

Ecology may approve disposal for up to five years when a facility meets the conditions for *disposal on a temporary basis* in [WAC 173-308-080](#)<sup>9</sup>.

### **2.6.3.3. Justification for Disposal on a Long-term Basis**

Ecology may approve disposal as a preferred method of management for five years or longer when a facility meets the conditions for *disposal on a long-term basis* in [WAC 173-308-080](#)<sup>9</sup>.

## **2.7. Requirements for Transferring Biosolids to Another Person or Facility**

Transferring means changing the possession of biosolids. Biosolids may be transferred from one facility to another, including to an individual person, only as follows:

### **2.7.1. Transfer of Exceptional Quality Biosolids for Unrestricted Use**

When biosolids are transferred to another person for unrestricted use:

- The biosolids must meet criteria to be classified as exceptional quality.
- The requirements in [WAC 173-308-260](#)<sup>19</sup>, including providing a label or information sheet must be met.

### **2.7.2. Transfer of Non-Exceptional Quality Biosolids:**

Non-exceptional quality biosolids may be transferred only to a properly permitted facility provided that:

- There are no specific conditions of coverage for either the sending or receiving facility prohibiting the transfer of biosolids.
- Both the sending and receiving facility exchange information needed to comply with this permit and [Chapter 173-308-WAC](#)<sup>2</sup>. This includes, but is not limited to, information on biosolids quality and the permit status of each facility.

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<sup>19</sup> <https://apps.leg.wa.gov/wac/default.aspx?cite=173-308-260>

## **2.9. Duty to Comply**

You must comply with all conditions of this permit, all applicable requirements of [Chapter 173-308 WAC](#)<sup>2</sup>, and all applicable requirements of other laws and rules for which the Department of Ecology has responsibility, including but not limited to:

- [Title 90 RCW](#)<sup>20</sup> – Water Rights – Environment
- [Title 70A RCW](#)<sup>1</sup> – Environmental Health and Safety
- Chapter [43.21C RCW](#)<sup>23</sup> – State Environmental Policy and the State Environmental Policy Act (SEPA) rules adopted under chapter 197-11 WAC or applicable local ordinances.

You must abide by all commitments in your permit application, including those in any plans and other operating documents unless modified through the permit review and final approval of coverage process.

You may not use any provision of your application or any associated plans or other documents to justify noncompliance with any provisions of [Chapter 173-308 WAC](#)<sup>2</sup> or the conditions of this general permit.

You must comply with any additional or more stringent requirements developed as a condition of final coverage under this permit.

## **2.10. Permit Modification, Revocation and Reissuance, and Termination**

Ecology may modify, revoke and reissue, or terminate coverage under this permit for cause. Permit conditions remain in effect until Ecology acts, even if you file a request to modify, revoke and reissue, or terminate coverage under this permit, or notify Ecology of planned changes or anticipated noncompliance.

Ecology may modify or revoke and reissue your coverage under this permit in accordance with [WAC 173-308-310\(23\)](#)<sup>7</sup>. Ecology may terminate your coverage under this permit in accordance with WAC 173-308-310(24)<sup>7</sup>.

## **2.11. Continuing Coverage and Duty to Reapply**

If you wish to continue an activity regulated by this permit after its expiration date, you must submit a Notice of Intent at least 180 days in advance of its expiration date and subsequently apply for coverage under a new permit in accordance with WAC 173-308-310. Failure to comply with these requirements can result in loss of permit coverage.

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<sup>20</sup> <https://apps.leg.wa.gov/rcw/default.aspx?Cite=90>

## **2.12. Need to Halt or Reduce Activity Not a Defense**

It is not a defense for a permit holder in an enforcement action to argue that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

## **2.13. Duty to Mitigate**

You must take all reasonable steps to minimize or prevent biosolids use or disposal that may adversely affect human health or the environment. This includes, but is not limited to, the proper operation and maintenance of equipment, adequate laboratory controls, and appropriate quality assurance procedures.

## **2.14. Duty to Provide Information to Ecology**

You must furnish to Ecology on request, any records required by [Chapter 173-308 WAC](#)<sup>2</sup>, or as a condition of approval under this permit.

You must furnish any information requested by Ecology to determine compliance with this permit, or to determine whether cause exists for modifying, revoking and reissuing, or terminating coverage.

## **2.15. Inspection and Entry**

Upon presentation of credentials and other documents as may be required by law, you must allow Ecology or an authorized representative of Ecology, to:

- Enter the premises where a regulated facility or activity is located or conducted, or where related records are kept.
- Have access to and copy, during reasonable times, any records required under this permit.
- Inspect during reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit.
- Sample or monitor during reasonable times, to assure permit compliance or as otherwise authorized by state law, [Chapter 70A.226 RCW](#)<sup>1</sup>, and the Clean Water Act, any substances, parameters, or practices at any location.

## **2.16. Monitoring and Records**

You must monitor and report monitoring results annually as required in 2.17 of this permit, and in accordance with your NPDES permit or State Waste Discharge Permit, if applicable.

You must retain all records and data used to complete your application for coverage under this permit:

- For a period of at least 5 years from the date of the application, and
- Until a new application has been submitted and permit coverage is approved, or
- Longer if required by other applicable laws or regulations.

You must retain all records related to annual report submittals for five years after the due date of the respective annual report.

## **2.17. Signatory Requirements**

The responsible official must sign the application for coverage, and all subsequent proposals to modify coverage. See 2.1.3.

## **2.18. Reporting and Notification**

Some facilities have a separate obligation to report to U.S. EPA in accordance with [40 CFR part 503](#)<sup>8</sup>. This permit does not address federal reporting requirements.

You must report to or notify Ecology as follows.

### **2.18.1. Annual Reports**

You must submit an annual report for the previous calendar year, in the format and using the means specified by Ecology by March 1, of each year.

### **2.18.2. Planned Changes**

You must notify your regional biosolids coordinator and any applicable delegated local health jurisdiction, in advance of significant changes in your biosolids management practices, including planned physical alterations or additions to your facility. Significant changes are permit modifications and require agency approval.

### **2.18.3. Requirement to Self-Report Noncompliance**

You must report any noncompliance to Ecology within 24 hours of becoming aware. Unless waived in writing by Ecology, you must submit a written explanation of the noncompliance within 5 days. Each written explanation must include:

- A description of the noncompliance.
- The cause of the noncompliance.
- The period of noncompliance, including exact dates and times, and, if the noncompliance has not been corrected, the anticipated time it is expected to continue.
- Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

### **2.18.4. Reporting in Event of a Spill**

You must report any spill to the Ecology regional office immediately, to the regional biosolids coordinator within 24 hours, and as otherwise specified in your approved spill prevention and response plan.

### **2.18.5. Other Information**

If you become aware that you failed to submit any relevant facts, or you submitted incorrect information in a permit application or a report, you must immediately notify your regional biosolids coordinator, and follow with a written explanation.

### **2.18.6. Transferring Permit Coverage**

Coverage under this permit is transferable only as provided in [WAC 173-308-310\(22\)](#)<sup>7</sup>.

Any facility wishing to transfer permit coverage must file a complete notice of transfer with Ecology, no later than thirty days before the proposed date of transfer.

The new permit holder is responsible for any unpaid fees or penalties, on the date of the transfer.

## **2.19. Penalties**

If you willfully violate any provisions of this permit or any provisions of chapter [70A.226 RCW](#)<sup>1</sup> or any order issued pursuant to chapter 70A.226 RCW, without sufficient cause, you are guilty of a gross misdemeanor. Willful violation of this chapter, or a permit or order issued pursuant to this chapter is punishable by a fine of up to ten thousand dollars and costs of prosecution, or by imprisonment for up to three hundred sixty-four days, or by both. Each day of violation may be deemed a separate violation.

In addition to any other penalty provided by law, if you violate any provisions of Chapter 70A.226 RCW or rules or orders adopted or issued pursuant to it, you are subject to a penalty of

up to five thousand dollars a day for each violation. Each violation is a separate violation. In the case of a continuing violation, each day of violation is a separate violation. An act of commission or omission that procures, aids, or abets in the violation is also considered a violation under this section.

## **2.20. Obtaining and Providing Information**

Whenever you transfer biosolids to another person or facility, you must provide notice and necessary information for the receiving person or facility to comply with the requirements of this permit and [Chapter 173-308 WAC](#)<sup>2</sup>.

## **2.21. Final Coverage: Additional or More Stringent Requirements**

On a case-by-case basis, Ecology may impose requirements that are in addition to or more stringent than the requirements in this permit.

All additional or more stringent requirements become a part of the permit and are fully enforceable. You may appeal any additional or more stringent requirements only as described in 2.24 of this permit.

## **2.22. Compliance Schedules**

A schedule with tasks and milestones leading to compliance with the requirements of this permit and [Chapter 173-308 WAC](#)<sup>2</sup> may be established by mutual agreement. A compliance schedule may not extend deadlines established under the Clean Water Act or [Chapter 70A.226 RCW](#)<sup>1</sup>. Compliance schedules must be established in accordance with the requirements of [WAC-173-308-310\(16\)](#)<sup>7</sup>.

## **2.23. Permit Fees and Penalties Due**

You must pay permit fees annually, within forty-five days of receiving the invoice. Fees are determined and issued in accordance with [WAC 173-308-320](#)<sup>21</sup>. Failure to pay permit fees can result in revocation of your permit.

You must pay penalties as specified in an accompanying administrative order or other legal documents.

When coverage under this permit is transferred, the new permit holder is responsible for any unpaid fees or penalties, on the date of the transfer.

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<sup>21</sup> <https://apps.leg.wa.gov/wac/default.aspx?cite=173-308-320>

## **2.24. Recordkeeping Requirements**

You must keep records and certification statements in accordance with 2.15 of this permit and [WAC 173-308-290](https://apps.leg.wa.gov/wac/default.aspx?cite=173-308-290)<sup>22</sup>.

## **2.25. Appeals**

Any aggrieved person may appeal this permit as provided by applicable law including, but not limited to, [Chapter 43.21B RCW](https://app.leg.wa.gov/rcw/default.aspx?cite=43.21B)<sup>23</sup> and [Chapter 34.05 RCW](https://app.leg.wa.gov/rcw/default.aspx?cite=34.05)<sup>24</sup>. You must file your appeal within 30 days of the issuance date listed on the cover page.

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<sup>22</sup> <https://apps.leg.wa.gov/wac/default.aspx?cite=173-308-290>

<sup>23</sup> <https://app.leg.wa.gov/rcw/default.aspx?cite=43.21B>

<sup>24</sup> <https://app.leg.wa.gov/rcw/default.aspx?cite=34.05>

## 3. Active Septage Management

This section applies to all Active Septage Management Facilities, in addition to the Baseline section.

This section does not apply to:

- Facilities that treat and manage septage as *biosolids originating from sewage sludge* (i.e. to meet pollutant limits, Class A or B pathogen reduction, and vector attraction reduction), including but not limited to POTWs and compost facilities that accept septage for treatment (applicable under section (4)).
- Facilities that mix septage with biosolids derived from sewage sludge (see section (4)) including compost facilities that accept both.

If you apply both septage and biosolids from wastewater treatment plants to the land, but manage them separately, you are subject to the requirements of this section and section (4).

### 3.1. Obtaining and Maintaining Coverage

You must apply for coverage, obtain coverage, and maintain coverage under this permit. Refer to Section (2) for details on the permit process.

### 3.2. Public Notice Required

Facilities must obtain approval from Ecology before issuing public notice of permit actions.

Notices required to be published or posted under this permit must meet Ecology standards as to content, overall dimension, font size, and placement.

#### 3.2.1. Who Must Provide Public Notice

You must comply with public notice requirements in [WAC 173-308-310\(13\)](#)<sup>7</sup> if you have an active septage management program *or* you propose or are required to modify the terms of your coverage under this permit, and when otherwise required by Ecology. Modifications include but are not limited to the addition of new land application plans and significant changes to existing management practices. You do not have to conduct public notice if:

- You only rely on a BUF for land application of septage, or you only transfer non-exceptional quality biosolids to another facility for further treatment.

#### 3.2.2. State Environmental Policy Act

You must comply with applicable SEPA requirements. Applicants may combine the public notice required under SEPA with notice required for the biosolids program in [WAC 173-308-310](#)<sup>7</sup>, with the approval of the SEPA Responsible Official. See 2.14 and 2.18.

When conducting separate notice under the State Environmental Policy Act, approval for compliance with SEPA rests with the SEPA Lead Agency.

### **3.2.3. Identification and Notice to Interested Parties**

All facilities must maintain a list of interested parties during the life of the permit and must maintain a record of attempts to notify each interested party on the list, whenever public notification is required, including when notification is undeliverable to the interested party. If notice is returned as undeliverable, and all methods to reach the interested party are exhausted, they may be removed from the facility's interested party list. The facility must provide documentation of the notice attempts and failed delivery(s) to Ecology prior to removing the individual from the interested parties list. Ecology may assist with interested party notification, but it is the permit holder's responsibility to ensure notification to interested parties.

All facilities must provide their interested parties list to Ecology on request.

A person is an interested party, if:

- They request a facility to place them on their interested parties list.
- They attend a public meeting or hearing offered by Ecology's state biosolids program and provide an email or physical mailing address. *Persons do not have to comment or testify during a meeting or hearing in order to be interested parties. Persons who attend without signing in, or who do not provide contact information, do not qualify as interested parties.*
- They notify Ecology of their interest in a specific facility. Ecology will share this information with the facility.

If an interested party provides both an email and physical mailing address, the facility must notify using both addresses, or confirm receipt of notification by one.

For the purposes of notifying organizations that may be interested, notification to the president (or other officers if specified by the organization) constitutes notice to all members of the organization, *except* where members have made individual requests for separate notification.

### **3.3. Removing Manufactured Inerts**

Prior to land application, septage must meet the requirements for removal of manufactured inerts in [WAC 173-308-205](#)<sup>25</sup>.

Materials removed by screening are solid waste and materials must be contained on site in a manner that does not present a threat to human health or the environment, consistent with

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<sup>25</sup> <https://apps.leg.wa.gov/wac/default.aspx?cite=173-308-205>

the requirements of [WAC 173-350-040](#)<sup>26</sup>, until lawfully disposed of in the municipal solid waste handling system.

## **3.4. Requirements for Sampling, Analysis, and Process Monitoring**

This section contains the *minimum* requirements for sampling and analysis of septage and soils when you prepare septage for beneficial use.

### **3.4.1. Representative Sampling**

You must collect samples that are representative of the septage or soils you are characterizing. Samples must represent the quality of septage at the time it is transferred, used, or disposed.

You must collect samples at times and locations that will capture septage representative of the stage of treatment.

You must collect a sufficient number of samples to meet requirements for characterization of pathogen reduction, vector attraction reduction, nitrogen, and any other required macro or micronutrients.

### **3.4.2. Sampling and Analysis Plans**

You must submit a sampling and analysis plan for all septage and soil sampling activities.

Soil sampling and analysis plans must conform to cooperative extension guidelines or generally accepted guidance, or be prepared by a soil scientist, agronomist, crop adviser, or other certified or licensed professional. A list of approved analysis methods is maintained on Ecology's webpage. Making it available outside the permit document allows for more efficient maintenance, as analytical methods change, or are updated from time to time.

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<sup>26</sup> <https://apps.leg.wa.gov/wac/default.aspx?cite=173-350-040>

At a minimum, plans must address:

- When you will collect samples, including calendar timing and with respect to treatment processes as appropriate.
- Where you will collect samples (i.e. the physical point in the process, or location).
- The number of samples you will collect for each analyte, and how you will determine the location for sample collection.
- How you will collect samples including a description of the supplies and equipment needed, and onsite manipulation such as compositing or subsampling.
- How you will handle and care for samples from the time of collection to the time of analysis or delivery to an accredited laboratory for analysis, including sample preservation, chain of custody, and compliance with holding time requirements.

Except for onsite sampling of pH adjustment, all samples, including soil samples and surface or groundwater samples, must be analyzed by a lab properly accredited in the appropriate matrix, if accreditation is available

You may identify a lab appropriate for your needs by searching [Ecology's web](#)<sup>27</sup>.

### **3.4.3. Frequency of Process Monitoring**

You must monitor pH adjustment as applicable in 3.6.7

### **3.4.4. Frequency of Septage Analysis**

You must monitor pH adjustment as applicable in 3.6.7

### **3.4.5. Point of Compliance**

The point of compliance for a sample is the date on which the sample is taken, not the date on which results are subsequently reported. It is a violation of this permit to use or distribute biosolids that fail to meet applicable standards.

### **3.4.6. Analytical Methods and Holding Times**

You must use approved analytical methods, and conform to sample preservation and holding time requirements for each analyte in accordance with the specifications of the analytical method used.

The appropriate methods specified in 40 CFR 503.8, 40 CFR 136, and WAC 173-308 are approved unless otherwise specified in an Ecology final sampling and analysis plan or final approval of coverage.

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<sup>27</sup> <https://ecology.wa.gov/Regulations-Permits/Permits-certifications/Laboratory-Accreditation/How-to-choose-an-analytical-laboratory>

## 3.5. Sites Where Septage Cannot be Applied

Application of septage to *public contact sites*, lawns, and home gardens is prohibited.

## 3.6. Requirements When Septage is Applied to the Land

This section contains the requirements for the land application of septage. It does not apply to *septage managed as biosolids originating from sewage sludge*.

### 3.6.1. Site Specific Land Application Plans

You must submit a site specific land application plan (SSLAP) meeting the content requirements in Appendix B, for every site where septage will be applied to the land. You are **not** required to submit a SSLAP for septage sent to a BUF, if the conditions in [WAC 173-308-310\(8\)\(g\)](#)<sup>7</sup> have been met.

### 3.6.2. General Land Application Plans

Submit a General Land Application Plan (GLAP) meeting the content requirements of Appendix A if you intend to develop other land application sites during the life of your permit coverage.

### 3.6.3. Soil Testing Required

You must test all new land application sites for the pollutants in Table 1 of [WAC 173-308-160](#)<sup>16</sup>, including nitrate and other nutrients if specified.

Testing of soils for pollutants and nutrients must be consistent with an approved sampling and analysis plan.

### 3.6.4. Application Rates

You must apply septage to the land at a rate not exceeding the rate determined by equation 1.

Equation 1 – Annual Application Rate for Septage

$$\mathbf{AAR = N \div 0.0026}$$

**AAR** = maximum annual application rate in gallons per acre per 365-day period

**N** = amount of nitrogen in pounds per acre per 365-day period needed by the crop or vegetation grown on the land (subtract any nitrogen supplied by other sources—for example, commercial fertilizers or manures)

Equation 2 – Calculating Drive Length of Spreader per Load

**Drive length (in feet) = gallons in spreader / spread width (in feet) x 43,560 / AAR or**

**Drive length (in feet) = gallons in spreader/ (AAR / 43,560) / spread width**

**AAR** = annual application rate in gallons per acre per 365-day period determined by Equation 1

### **3.6.5. Pollutants**

EPA developed the application rate formula in Equation 1 with consideration of acceptable pollutant loading. Testing for pollutants in WAC 173-308-160 is not required for septage applied to land unless it is managed as biosolids originating from a treatment works (refer to Section 4).

### **3.6.6. Pathogen and Vector Attraction Reduction**

The requirements for pathogen and vector attraction reduction for septage are based on the percent by volume of septage from households, and whether or not septage will be injected or tilled into the soil. You must keep records for each load or batch of septage you apply to the land. You must be able to show compliance with 3.6.7 and 3.6.7.1 below.

### **3.6.7. Septage must be treated or applied to the land as follows:**

Except as allowed in 3.6.7.1:

- You must raise the pH of the septage by the addition of alkali, to at least 12 for a minimum of thirty minutes.
- You must conduct at least two pH tests for each load of septage applied to the land.

The first test must occur *after* the addition of lime or alkali, and show that a pH of at least 12 has been attained.

The second test must occur at least 30 minutes after the first test to show that a pH of at least 12 has been retained.

If the pH is less than 12 when the second test is conducted, the process must be restarted.

- Sampling must be representative of the septage that is applied to the land.
- You must keep records of each sampling event including the date, time, and result for each sample.

### 3.6.7.2. Alternative to pH adjustment for septage 75% or more by volume from household septic tanks

When a load or batch of septage is 75% or more by volume from household septic tanks, as an alternative to pH adjustment, you may:

- Inject the septage below the surface of the land so that no significant amount of the septage is on the surface within 1 hour after injection, or
- Incorporate the septage into the soil within 6 hours after application.

## 3.7. Landowner Consent

You must obtain written consent of all landowners prior to applying non-exceptional quality biosolids to the land for the first time on any parcel. The landowner must consent to allow access for Ecology inspections, and agree to comply with requirements for site management and access in [Chapter 173-308 WAC](#)<sup>2</sup>.

## 3.8. Site Management and Public Access Restrictions

The site management and public access restrictions in this subsection apply when septage is applied to the land.

### 3.8.1. Crop Harvest Waiting Periods

The time between the last application of septage and crop harvesting must adhere to the waiting periods in Table S1.

Table S1: Crop Harvesting Restrictions for Septage

Crop Type	Examples	Does the harvested part of plant contact septage?	Length of time the septage remains on soil surface prior to incorporation in the soil	Waiting period until harvest is allowed
Above ground food crops	Cherries, wheat	No	Not applicable	30 days
Above ground food crops	Lettuce, cucumbers, strawberries	Yes	Not applicable	14 months
Root food crops	Onions, potatoes	Yes	≥4 months	20 months
Root food crops	Onions, potatoes	Yes	<4 months	38 months
Feed crops	Rangeland, pasture, hay, feed corn.	Not applicable	Not applicable	30 days
Fiber crops	Trees, cotton	Not applicable	Not applicable	30 days

### 3.8.2. Public Access Restrictions

Public access must be restricted following the application of septage. You must post and maintain signs limiting access to the site during the time when site access is restricted, in accordance with the requirements in Table S2.

**Table S2: Site Posting Requirements for Septage Application Sites**

Where	Notice Content	How Long
All significant points of access to the site. Every ½ mile (805 meters) around the perimeter of the site.	The name and address or phone number of the generator and, if different, the person who applies. The names, addresses, and phone numbers of the regulatory and permitting authorities. The material that is being applied. Notice that access is restricted and, if desired, the date after which access is no longer restricted. If applicable, a notice on limitations regarding the harvesting of edible plants from the site.	Sites with a high potential for public exposure: 1 year Sites with a low potential for public exposure" 30 days

### 3.8.3. Buffers

You must meet the additional site management restrictions in Table S3 below when septage is applied to the land. For information on interpreting buffers, please refer to [Ecology's Biosolids Management Guidelines, WDOE 93-80](#)<sup>41</sup>.

**Table S3: Additional Site Management Restrictions for Septage**

Feature	Restriction
Surface waters	No application within 100 feet (30.5 meters)*
Wells	No application within 100 feet (30.5 meters)*
Wetlands	No application allowed*
Public contact sites, lawns, or gardens	No application allowed
Flooded, frozen, or snow-covered sites	No application allowed

\* Unless otherwise approved by Ecology

## 4. Permit Section: Active Biosolids Management

Facilities covered in this section have active biosolids management programs. You have an active biosolids management program, if you are:

- Treating sewage sludge and/or septage to produce biosolids.
- Treating sewage sludge and/or septage to produce biosolids, and directly applying biosolids to the land, or have a legal arrangement to have your biosolids applied to the land where you remain directly responsible for all compliance aspects.
- Sending your biosolids to a BUF that applies them to the land under a separate permit (this does not relieve you of responsibility for proper management of your biosolids).
- Applying biosolids to the land as a permitted BUF.
- Producing exceptional quality biosolids to sell or give away. This includes wastewater treatment plants, composters, and other treatment facilities.

If you also apply septage to the land, you are subject to the requirements in section (3) of this permit.

If you only transfer your biosolids to another facility for further treatment, or you operate a surface impoundment and do not plan to remove solids during the life of this permit, you are subject *only* to section (2) of this permit.

### 4.1. Obtaining and Maintaining Coverage

You must apply for coverage, obtain coverage, and maintain coverage under this permit. Refer to section (2) for details on the permit process.

### 4.2. Public Notice Required

Facilities must obtain approval from Ecology prior to issuing public notice of permit actions.

Notices required to be published or posted under this permit, must meet Ecology standards as to content, overall dimension, font size, and placement.

#### 4.2.1. Who Must Provide Public Notice

You must conduct public notice according to [WAC 173-308-310\(13\)](#)<sup>77</sup> if you have an active biosolids management program and you land apply non-exceptional quality biosolids, or you propose or are required to modify the terms of your coverage under this permit, or you are a new facility beginning operations, and when otherwise required by Ecology. Modifications include but are not limited to the addition of new land application plans and significant changes to existing management practices. You do not have to conduct public notice if:

- You have been permitted to produce exceptional quality biosolids unless you rely on your own land application site for biosolids that do not meet exceptional quality standards.
- You rely on a BUF for land application of non-exceptional quality biosolids you produce, or you transfer non-exceptional quality biosolids to another facility for further treatment.

Please note this list does not excuse new active biosolids management facilities from conducting initial public notice to gain coverage under the general permit.

#### **4.2.2. State Environmental Policy Act**

You must comply with applicable SEPA requirements. Applicants may combine the public notice required under SEPA with notice required for the biosolids program in [WAC 173-308-310](#)<sup>7</sup>, with the approval of the SEPA Responsible Official. See 2.14 and 2.18.

When conducting separate notice under the State Environmental Policy Act, approval for the purpose of compliance with SEPA rests with SEPA Lead Agency.

#### **4.2.3. Identification and Notice to Interested Parties**

All facilities must maintain a list of interested parties during the life of the permit, and must maintain a record of attempts to notify each interested party on the list, whenever public notification is required, including when notification is undeliverable to the interested party. Should notice return to the facility as undeliverable via mail, email, or some other means, and all methods to reach the interested party are exhausted, the facility must document the attempts and the interested party in question may be removed from the facility's interested party list. Ecology may assist with interested party notification, but it is the permit holder's responsibility to ensure notification to interested parties.

All facilities must provide their interested parties list to Ecology on request.

A person is an interested party, if:

- They request a facility to place them on their interested parties list.
- They attend a public meeting or hearing offered by Ecology's state biosolids program and provide an email or physical mailing address. *Persons do not have to comment or testify during a meeting or hearing in order to be interested parties. Persons who attend without signing in, or who do not provide contact information, do not qualify as interested parties.*
- They notify Ecology of their interest in a specific facility. Ecology will share this information with the facility.

If an interested party provides both an email and physical mailing address, the facility must notify using both addresses, or confirm receipt of notification by one.

For the purposes of notifying organizations that may be interested, notification to the president (or other officer if specified by the organization) constitutes notice to all members of the organization, *except* where members have made individual requests for separate notification.

### **4.3. Removing Manufactured Inerts**

Prior to land application, biosolids must meet the requirements for removal of manufactured inerts in [WAC 173-308-205](#)<sup>28</sup>.

Materials removed by screening are solid waste and must be contained on site in a manner that does not present a threat to human health or the environment, consistent with the requirements of [WAC 173-350-040](#)<sup>29</sup> until lawfully disposed of in the municipal solid waste handling system.

### **4.4. Requirements for Sampling, Analysis, and Process Monitoring**

This section contains the *minimum* requirements for sampling and analysis of biosolids and soils, and process monitoring that are applicable when you prepare biosolids for beneficial use.

#### **4.4.1. Representative Sampling**

You must collect samples that are representative of the biosolids or soils you are characterizing. Samples must represent the quality of biosolids at the time they are transferred, used, disposed, sold, or given away.

You must collect samples at times and locations that will capture biosolids representative of the stage of treatment.

You must collect a sufficient number of samples to meet requirements for characterization of pathogen reduction, vector attraction reduction, pollutant limits, nitrogen, and any other required macro or micronutrients.

#### **4.4.2. Sampling and Analysis Plans**

You must submit a sampling and analysis plan for all biosolids and soil sampling activities.

Soil sampling and analysis plans must conform to cooperative extension guidelines or generally accepted guidance, or be prepared by a soil scientist, agronomist, crop adviser, or other certified or licensed professional. A list of approved analysis methods is maintained on

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<sup>28</sup> <https://apps.leg.wa.gov/wac/default.aspx?cite=173-308-205>

<sup>29</sup> <https://apps.leg.wa.gov/wac/default.aspx?cite=173-350-040>

Ecology's webpage. Making it available outside the permit document allows for more efficient maintenance, as analytical methods change, or are updated from time to time.

At a minimum, plans must address:

- When you will collect samples, including calendar timing and with respect to treatment processes as appropriate.
- Where you will collect samples (i.e. the physical point in the process, or location).
- The number of samples you will collect for each analyte, and how you will determine the location for sample collection.
- How you will collect samples including a description of the supplies and equipment needed, and onsite manipulation such as compositing or subsampling.
- How you will handle and care for samples from the time of collection to the time of analysis or delivery to an accredited laboratory for analysis, including sample preservation, chain of custody, and compliance with holding time requirements.

All samples, including soil samples and surface or groundwater samples, must be analyzed by a lab properly accredited by Ecology if accreditation is available. Note that accreditation must be specified for the appropriate matrix – solid and chemical materials for biosolids, drinking water for drinking water, and nonpotable water for influent or effluent.

You may identify a lab appropriate for your needs by searching [Ecology's web](#)<sup>30</sup>.

#### **4.4.3. Frequency of Process Monitoring**

You must monitor the pathogen reduction processes ([WAC 173-308-170](#)<sup>31</sup>) and vector attraction reduction processes ([WAC 173-308-180](#)<sup>32</sup>), at a frequency and duration that will ensure the process and biosolids meet applicable requirements.

#### **4.4.4. Frequency of Biosolids Analysis**

At a minimum, you must analyze your biosolids at the frequency listed in Table B1 below.

The dry weight tonnage of biosolids applied to the land or prepared for sale/give away per 365-day period determines the minimum frequency of biosolids analysis (Table B1 below).

For facilities that compost or mix Class B quality biosolids with other materials, the frequency of analysis is based on the dry weight tonnage of the total amount of material, not just the biosolids.

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<sup>30</sup> <https://ecology.wa.gov/Regulations-Permits/Permits-certifications/Laboratory-Accreditation/How-to-choose-an-analytical-laboratory>

<sup>31</sup> <https://apps.leg.wa.gov/wac/default.aspx?cite=173-308-170>

<sup>32</sup> <https://apps.leg.wa.gov/wac/default.aspx?cite=173-308-180>

For facilities with surface impoundments preparing to remove solids, frequency of sampling is converted to a number of samples based on the amount of solids that will be removed.

For facilities with surface impoundments characterizing biosolids under section 2.5.1, the number of samples is determined based on the estimated quantity of solids in the impoundment at the time of sampling, or as otherwise approved by Ecology.

Table B1 applies to the pollutants in [WAC 173-308-160](#)<sup>33</sup>, the pathogen density requirements in [WAC 173-308-170](#)<sup>34</sup>, the vector attraction reduction standards in [WAC 173-308-180](#)<sup>35</sup>, and the nitrogen concentrations and percent solids data needed to support agronomic rate determinations. It does not apply to process monitoring

**Table B1: Minimum Frequency of Biosolids Analysis (adapted from WAC 173-308-150<sup>36</sup>)**

Dry Metric tons per Year	Frequency*
>0 <290 (>0 <320 U.S. tons)	once per year (1X per year)
290 - 1,500 (320 - 1,653 U.S. tons)	once per quarter (4X per year)
1,500 - 15,000 (1,653 - 16,535 U.S. tons)	once per 60 days (6X per year)
>15,000 (>16,535 U.S. tons)	once per month (12X per year)

\* after 2 years of analyzing at this frequency, analysis for the pollutant concentrations may be reduced with approval of Ecology, but it must not be less than once per year. The frequency of sampling for compliance with pathogen and vector attraction reduction cannot be reduced.

#### 4.4.5. Point of Compliance

The point of compliance for a sample is the date on which the sample is taken, not the date on which results are subsequently reported. It is a violation of this permit to use or distribute biosolids that fail to meet applicable standards.

#### 4.4.6. Analytical Methods and Holding Times

You must use approved analytical methods, and conform to sample preservation and holding time requirements for each analyte in accordance with the specifications of the analytical method used.

The appropriate methods specified in [40 CFR 503.8](#)<sup>8</sup>, [40 CFR 136](#)<sup>37</sup>, and [WAC 173-308](#)<sup>2</sup> are approved unless otherwise specified in an Ecology final sampling and analysis plan or final approval of coverage.

<sup>33</sup> <https://apps.leg.wa.gov/wac/default.aspx?cite=173-308-160>

<sup>34</sup> <https://apps.leg.wa.gov/wac/default.aspx?cite=173-308-170>

<sup>35</sup> <https://apps.leg.wa.gov/wac/default.aspx?cite=173-308-180>

<sup>36</sup> <http://app.leg.wa.gov/WAC/default.aspx?cite=173-308-150>

<sup>37</sup> <https://www.ecfr.gov/current/title-40/chapter-I/subchapter-D/part-136?toc=1>

## **4.5. Requirements for Non-Exceptional Quality Biosolids to the Applied the Land**

These requirements apply to non-exceptional quality biosolids that are applied to:

- Agricultural Land,
- Forest Land,
- Public Contact Sites, or
- Land Reclamation Sites

Non-exceptional quality biosolids are not commercial fertilizers unless properly registered. Generators cannot make, nor can users rely on, any guarantee of nutrient value.

### **4.5.1. Site Specific Land Application Plans**

You must submit a site specific land application plan (SSLAP) meeting the content requirements in Appendix B, for every site where non-exceptional quality biosolids will be applied to the land. You are not required to submit a SSLAP for biosolids sent to a BUF, if the conditions in [WAC 173-308-310\(8\)\(g\)](#)<sup>7</sup> have been met.

You are not required to submit a SSLAP for the management of exceptional quality biosolids unless Ecology requires a plan in accordance with [WAC 173-308-310\(8\)\(a\)\(ii\) or \(iii\)](#).<sup>7</sup>

A generator is not required to submit a SSLAP if they send non-exceptional quality biosolids to a BUF, and the conditions in [WAC 173-308-310\(8\)\(g\)](#)<sup>7</sup> have been met.

### **4.5.2. General Land Application Plans**

Submit a General Land Application Plan (GLAP) meeting the content requirements of Appendix A if you intend to develop other land application sites during the life of your permit coverage.

### **4.5.3. Soil Testing Required**

You must test all new land application sites for the pollutants in Table 1 of [WAC 173-308-160](#)<sup>33</sup>, including nitrate and other nutrients if specified.

Testing of soils for pollutants and nutrients must be consistent with an approved sampling and analysis plan.

#### 4.5.4. Agronomic Rate

Biosolids must be applied at an agronomic rate in accordance with [WAC 173-308-190](#)<sup>38</sup>, except as allowed for certain land reclamation sites or research projects approved in accordance with [WAC 173-308-190\(1\) - \(3\)](#)<sup>38</sup> and [WAC 173-308-192](#)<sup>39</sup>, respectively.

The person who prepares the biosolids is responsible for providing information necessary to determine an agronomic rate to the person who receives the biosolids.

#### 4.5.5. Pollutants

When beneficially used, concentrations of pollutants in biosolids must not exceed the ceiling concentration limits in WAC 173-308-160<sup>33</sup> Table 1. If biosolids exceed the pollutant concentration limits in WAC 173-308-160<sup>33</sup> Table 3, they must be applied at a rate that will not exceed the cumulative pollutant loading rates in [WAC 173-308-160](#)<sup>33</sup> Table 2, over the lifetime of the site.

If the biosolids are subject to the cumulative pollutant loading rates in WAC 173-308-160<sup>30</sup> Table 2, the person who proposes to apply the biosolids must obtain approval from Ecology in accordance with the process prescribed in WAC 173-308-160(2)<sup>33</sup> prior to application.

Table B2 below provides a summary of WAC 173-308-160 Tables 1, 2, and 3.

**Table B2: Allowable Biosolids Pollutants and Loading Rates**

Pollutant	WAC 173-308-160 Table 1 (173-308-160) Ceiling Concentration Limits	WAC 173-308-160 Table 2 (173-308-160) Cumulative Loading Rates	WAC 173-308-160 Table 3 (173-308-160) Pollutant Concentration Limits
Arsenic	75 mg/kg	41 kg/ha	41 mg/kg
Cadmium	85 mg/kg	39 kg/ha	39 mg/kg
Copper	4300 mg/kg	1500 kg/ha	1500 mg/kg
Lead	840 mg/kg	300 kg/ha	300 mg/kg
Mercury	57 mg/kg	17 kg/ha	17 mg/kg
Molybdenum	75 mg/kg	Not applicable	Not applicable
Nickel	420 mg/kg	420 kg/ha	420 mg/kg
Selenium	100 mg/kg	100 kg/ha	100 mg/kg
Zinc	7500 mg/kg	2800 kg/ha	2800 mg/kg

#### 4.5.6. Pathogen Reduction

Biosolids must meet one of the Class A processes in [WAC 173-308-170\(1\)-\(4\)](#)<sup>34</sup> or one of the Class B processes in [WAC 173-308-170\(5\)-\(7\)](#)<sup>34</sup>.

<sup>38</sup> <https://apps.leg.wa.gov/wac/default.aspx?cite=173-308-190>

<sup>39</sup> <https://apps.leg.wa.gov/wac/default.aspx?cite=173-308-192>

#### **4.5.7. Vector Attraction Reduction**

Biosolids must meet one of the vector attraction reduction processes in [WAC 173-308-180<sup>35</sup>](#), or be managed to reduce vector attraction in the field as described in [WAC 173-308-210\(4\)\(a\) and \(b\)](#)<sup>40</sup>.

#### **4.5.8. Landowner Consent**

You must obtain written consent of all landowners prior to applying non-exceptional quality biosolids to the land for the first time on any parcel. The landowner must consent to allow access for Ecology inspections, and agree to comply with requirements for site management and access in [Chapter 173-308 WAC<sup>2</sup>](#).

#### **4.5.9. Site Management and Public Access Restrictions for Class B Biosolids**

Whenever Class B biosolids are applied to the land, the site management and public access restrictions in this subsection apply.

##### **4.5.9.1. Crop Harvest Waiting Periods**

The time between the last application of Class B biosolids and crop harvesting must adhere to the waiting periods in Table B3.

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<sup>40</sup> <https://app.leg.wa.gov/WAC/default.aspx?cite=173-308-210>

**Table B3: Crop Harvesting Restrictions for Class B Biosolids**

Crop Type	Examples	Does the harvested part of plant contact biosolids?	Length of time the biosolids remain on soil surface	Waiting period until harvest is allowed
Above ground food crops where the edible portion does not contact the biosolids/soil mixture	Cherries, wheat	No	Not applicable	30 days
Above ground food crops where the edible portion may contact the biosolids/soil mixture	Lettuce, cucumbers, strawberries	Yes	Not applicable	14 months
Root food crops	Onions, potatoes	Yes	$\geq 4$ months	20 months
Root food crops	Onions, potatoes	Yes	$< 4$ months	38 months
Feed crops	Range land, pasture	Not applicable	Not applicable	30 days
Fiber crops	Trees, cotton	Not applicable	Not applicable	30 days
Turf	Lawn grass	Not applicable	Not applicable	1 year*

\* Unless a different waiting period is approved by Ecology

#### 4.5.9.2. Public Access Restrictions

Public access must be restricted following the application of Class B biosolids. Minimally, you must maintain posted informational signs during the time site access is restricted, in accordance with the requirements in Table B4. Exceptions to these requirements must be approved in writing by Ecology.

**Table B4: Site Posting Requirements for Class B Biosolids**

Where	Notice Content*	How Long
All significant points of access to the site.  Every $\frac{1}{2}$ mile (805 meters) around the perimeter of the site.	The name and address or phone number of the generator and, if different, the person who applies the biosolids.  The names, addresses, and phone numbers of the regulatory and permitting authorities.  The material that is being applied  Notice that access is restricted and, if desired, the date after which access is no longer restricted.  If applicable, a notice on limitations regarding the harvesting of edible plants from the site.	Sites with a "high" potential for public exposure: 1 year  Sites with a "low" potential for public exposure: 30 days

#### 4.5.9.3. Buffers

The additional restrictions in Table B5 are in effect for sites where Class B biosolids are applied. For information on interpreting buffers, please refer to [Ecology's Biosolids Management Guidelines, WDOE 93-80](#)<sup>41</sup>.

**Table B5: Additional Site Management Restrictions for Class B Biosolids**

Feature	Restriction
Surface waters	No application within 33 feet*
Wells	No application within 100 feet *
Wetlands	No application allowed*
Waters of the state	No application allowed*
Flooded, frozen, or snow-covered sites	No application allowed*
Adjacent Properties	As specified by Ecology

\* Unless otherwise approved by Ecology

### 4.6. Exceptional Quality Biosolids

Exceptional quality (EQ) biosolids have been treated to the highest regulatory standards. Examples of EQ biosolids processes include thermal drying, lime pasteurization, temperature-phased (including thermophilic) anaerobic digestion, and auto-thermal aerobic digestion. Process controls and biosolids quality must be documented.

All first-generation exceptional quality biosolids products must comply with the labeling and information sheet requirements of 4.6.2. If you guarantee a nutrient content, or represent your product as a commercial fertilizer, in addition to the requirements of this permit you are subject to regulations implemented by the Washington State Department of Agriculture under chapter [15.54 RCW](#), and chapter [16-200 WAC](#).

Biosolids generated from EQ treatment processes may in some cases be made into second-generation products such as manufactured soil and compost. The state biosolids program does not regulate second-generation products, but we do require specific documentation for generators of them, see 4-6.1 – Plan Required.

#### 4.6.1. Plan Required for Second-Generation Products

Publicly-owned or private facilities that manufacture second-generation exceptional quality biosolids products must ensure separation of those products from first-generation exceptional quality biosolids. The separation between first and second-generation EQ biosolids products must be physically distinct, and ensure no possibility of mingling. Operators must be able to identify each product at all times.

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<sup>41</sup> <https://apps.ecology.wa.gov/publications/SummaryPages/9380.html>

All generators of EQ products that manufacture second-generation EQ products must submit a basic operational plan describing the products they manufacture, and how those products are managed on site to ensure compliance with the requirements of this subsection. Generators producing second-generation products must submit a plan with their permit application. Other generators of EQ products must submit a plan prior to manufacturing second-generation products. Facilities must notify their regional biosolids coordinator prior to making any changes to this plan.

#### **4.6.2. Labeling Requirements for Exceptional Quality Biosolids**

Whenever first-generation exceptional quality biosolids products are sold or given away, you must label the container or provide an information sheet with the following information:

- The name, address, and phone number of the person who prepared the biosolids.
- A statement or information indicating that the product complies with applicable regulations for biosolids, or that the product has been prepared to meet standards that make it safe for its intended use when used in accordance with the directions provided by the manufacturer.
- A statement or information that encourages proper use of the product and protection of public health and the environment. This may include information on product storage, hygiene, and protection of surface or ground water resources.
- Agronomic rates for typical applications or guidance on how to determine the agronomic rate of application.
- A statement or information indicating that the product contains or is derived from biosolids.
- Unless registered as a fertilizer by the Washington State Department of Agriculture, a disclaimer stating that the product is not a commercial fertilizer and that all nutrient claims are estimates or averages and not guaranteed.

## Appendices

### **Appendix A - Minimum content for a General Land Application Plan (GLAP)**

- (1) Describes the geographical area covered by the plan, including the names of all counties and water resource inventory areas where biosolids may be applied.
- (2) Identifies site selection criteria.
- (3) Describes how sites will be managed.
- (4) Provides for not less than thirty days advance notice to the department of new or expanded land application sites, including those subject to provisional approval under WAC 173-308-310(18)<sup>7</sup>, to allow time for the department to object prior to the biosolids application.
- (5) Provides for advance public notice as required in WAC 173-308-310(13)<sup>7</sup>, and that is reasonably calculated to reach potentially interested adjacent and abutting property owners.

## Appendix B - Minimum Content for a Site Specific Land Application Plan

(1) Whether or not it is known or can be determined that biosolids containing pollutants in excess of the values [WAC 173-308-160<sup>16</sup>](#) Table 3 have ever been applied to the site, and if so:

- (a) The date(s) when the biosolids were applied (if known).
- (b) The amount of biosolids applied (if known).
- (c) The concentrations of the pollutants in the biosolids (if known).
- (d) The area(s) of the site to which the biosolids were applied (if known).

(2) A discussion of the types of crops grown or expected to be grown, their intended end use (e.g., pasture grass for a feed crop, corn as a food crop), and the current distribution of crops on the site.

(3) An explanation of how agronomic rates will be determined during the life of the site, along with any currently available calculations. Whenever agronomic rates or the method used to determine agronomic rates change, an update of the agronomic rate calculations must be filed with the department.

(4) Method(s) of application.

(5) Seasonal and daily timing of biosolids applications.

(6) Provisions for conducting any sampling of soils, surface waters, or groundwater and any available data collected from the site within the last two years.

(7) The name of the county and water resource inventory area where biosolids will be applied.

(8) A description of how biosolids will be staged or stored at the site that also addresses related offsite storage.

(9) Maps. The purpose of a site map is to provide a clear understanding of the features that both encourage *and* limit or condition the appropriate beneficial use of biosolids. *Several maps are typically required for each site.*

Maps must be submitted at minimum scales as follows:

Maps of individual land application sites must be at a minimum scale of 1:7920 (8 inches per mile). Larger scales (i.e. showing less area and providing more detail) are acceptable, but all maps must fit on a standard 8-1/2 x 11-inch page when printed at scale unless a different size is approved in advance by Ecology. Facilities should reach out to their biosolids coordinator for prior approval.

Maps intended to show the general area around a facility or a group of specific land application sites must be presented at a minimum scale of 1:24,000 (also known as the 7.5 minute scale ~ 2.6 inches per mile). Larger scales are acceptable, but all maps must fit on a standard 8-1/2 x 11-inch page when printed at scale unless a different size is approved in advance by Ecology. Facilities should reach out to their biosolids coordinator for prior approval.

Legends and all other notations must be rendered in a location and size, and be of such contrast as to easily distinguish them from the base map and other information on the map.

Graphically rendered notations are preferred. Handwritten notations are acceptable *only* if they are neat, legible, and meet the criteria above.

Minimally, maps must provide the following information

- (a) A legend.
- (b) The location and means of access.
- (c) Specific areas of the site where biosolids may be applied. If there is more than one site or more than one application unit within a site, delineate the specific area and include a site or unit ID number.
- (d) The number of acres in the site or in any distinct application unit within a site.
- (e) Location and extent of any wetlands on the site.
- (f) A topographic relief of the application site and surrounding area.
- (g) Adjacent properties and uses and their zoning classification.
- (h) Any seasonal surface water bodies located on the site.
- (i) Any perennial surface water bodies located on or within one-quarter mile (402 meters) of the site.
- (j) The location of any wells located on or within one-quarter mile (402 meters) of the site that are listed in public records or otherwise known to the applicant, whether for domestic, irrigation, or other purposes.
- (k) Buffer zones to features such as surface waters, wells, property boundaries, and roadways and the width of the buffer zones.
- (l) The presence and extent of any threatened or endangered species or related critical habitat.
- (m) The location of any critical areas on site, as required to be identified under chapter 36.70Ab RCW in the county's growth management plan.
- (n) The location and size of any areas that will be used to store biosolids.

- (10) If the seasonal groundwater is three feet (0.91 meters) or less below the surface, a management plan describing how you will protect groundwater. For example, you may propose to limit applications to the time of year when groundwater has receded to more than three feet (0.91 meters) below the surface.
- (11) A description of how access to the site will be restricted (e.g., signs posted around the site or other approved method of access restriction).
- (12) A copy of the landowner agreement required under [WAC 173-308-120\(6\)](#)<sup>42</sup>.
- (13) Any additional information requested by the department that is needed to evaluate the appropriateness of the site for biosolids application.

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<sup>42</sup> <https://apps.leg.wa.gov/wac/default.aspx?cite=173-308-120>

## Appendix C - Glossary of Terms

See also the definitions in [WAC 173-308 080](#)<sup>9</sup>.

**Active biosolids management facility:** Facilities that sell, give away or apply biosolids to the land. Facilities that only store or treat biosolids in surface impoundments, only send biosolids to another facility for further treatment, or that only dispose of biosolids, do not have active management programs.

**Active septage management facility:** Facilities that treat and/or apply ONLY septage to the land. Businesses that only deliver septage to an active septage management facility, and that only service onsite wastewater systems and similar devices, do not have active programs.

**Beneficial use facility:** A receiving-only facility consisting of a site or sites where biosolids from other treatment works treating domestic sewage are applied to the land for beneficial use, which has been permitted as a treatment works treating domestic sewage in accordance with the provisions of [WAC 173-308-310](#)<sup>7</sup>, and that has been designated as a beneficial use facility through the permitting process.

**First-generation exceptional quality biosolids:** Exceptional quality biosolids produced from the treatment of non-exceptional quality biosolids, and meeting all standards for Class A pathogen reduction, vector attraction reduction, and pollutant concentration. Standards must be met at the time EQ biosolids are distributed or made into a second-generation product.

**Public contact site:** Land with a high potential for contact by the public. This includes, but is not limited to, public parks, ball fields, cemeteries, plant nurseries, turf farms, and golf courses.

**Second-generation exceptional quality biosolids products:** Products that blend first-generation EQ biosolids with other materials to make products like manufactured soil or compost. Further monitoring and testing of second-generation products against biosolids standards is not required. **Septage or domestic septage:** Liquid or solid material removed from septic tanks, cess pools, portable toilets, type III marine sanitation devices, vault toilets, pit toilets, RV holding tanks, or similar systems that receive only domestic sewage. Septage may also include commercial or industrial septage mixed with domestic septage if approved in accordance with the provisions in [WAC 173-308-020\(3\)\(g\)](#)<sup>43</sup>.

**Septage managed as biosolids originating from sewage sludge:** Septage treated and managed as biosolids originating from a wastewater treatment plant.

**Septage management facility:** A facility that treats and/or applies septage to the land.

**Sewage Sludge:** Solid, semisolid, or liquid residue generated during the treatment of domestic sewage in a treatment works. Sewage sludge includes, but is not limited to, domestic septage;

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<sup>43</sup> <https://apps.leg.wa.gov/wac/default.aspx?cite=173-308-020>

scum or solids removed in primary, secondary, or advanced wastewater treatment processes; and a material derived from sewage sludge. Sewage sludge does not include ash generated during the firing of sewage sludge in a sewage sludge incinerator or grit and screenings generated during preliminary treatment of domestic sewage in a treatment works.

**Staging:** Short-term storage of biosolids at a land application site, in preparation for land application.

**Storage:** Placing biosolids or sewage sludge on land or in surface impoundments or other containment devices in which the biosolids or sewage sludge remain for two years or less, except where a greater time period has been approved by the department. This does not include the placing of biosolids or sewage sludge on land or in surface impoundments or other containment devices for treatment or disposal.

**Temporary, small-scale storage:** The storage of biosolids or sewage sludge for no more than thirty days in a tank holding no more than 10,000 gallons with a total on-site maximum volume of no more than 20,000 gallons.

**Treatment Works Treating Domestic Sewage:** A publicly owned treatment works or any other sewage sludge or wastewater treatment devices or systems, regardless of ownership, used in the storage, treatment, recycling, and reclamation of municipal or domestic sewage or sewage sludge, including land dedicated for the disposal of sewage sludge. Treatment works treating domestic sewage also includes beneficial use facilities and septage management facilities as defined in this section, and a person, site, or facility designated as a treatment works treating domestic sewage in accordance with [WAC 173-308-310\(1\)\(b\)](#)<sup>7</sup>. This definition does not include septic tanks or similar devices or temporary, small-scale storage as defined in this section.