



Ohio Administrative Code

Rule 3745-40-06 Beneficial use site authorizations for class B biosolids.

Effective: December 1, 2018

(A) Authorization for a beneficial use site. Prior to the beneficial use of class B biosolids, a permittee shall obtain written notice of authorization to beneficially use class B biosolids at a proposed beneficial use site from the director or an authorized representative pursuant to the permittee's NPDES permit or approved biosolids management plan.

(1) The permittee shall submit a notice of beneficial use site application to beneficially use class B biosolids on one or more proposed beneficial use sites in any county approved for beneficial use in the permittee's NPDES permit or biosolids management plan.

(a) Notice of beneficial use site application requests shall be submitted on forms approved by the director at least forty-five days prior to the expected date of beneficial use.

(b) At a minimum, a notice of beneficial use site application request shall contain all of the following:

(i) The permittee's name, address, telephone number, NPDES permit number or biosolids management plan number, contact person and signed certification statement.

(ii) The name, address, contact information and signed certification statement for the owner of each site.

(iii) The name, address, contact information and signed certification statement for the beneficial use site operator of each site.

(iv) The name, address, contact information and signed certification statement for the beneficial user for each site.

(v) The beneficial use site information required by the notice of beneficial use site application forms including, but not limited to all of the following:



- (a) The beneficial use site location, acreage of the proposed site, and type of beneficial use to be performed.
 - (b) Soil monitoring results, crop information, soil types including hydrologic soil group, flooding frequency class and ground slope.
 - (c) As applicable, the location of surface waters of the state, sinkholes or underground injection control class V drainage wells, occupied structures, schools, medical care facilities, potable water supplies and water systems on each proposed beneficial use site and within one thousand feet of the site.
 - (d) The location of field tiles on each proposed beneficial use site, if any.
 - (e) The potential location of biosolids stockpile areas with applicable isolation distances.
 - (f) The history of beneficial use at each proposed beneficial use site, including past beneficial use of class B and bulk exceptional quality biosolids, manure and commercial fertilizer for the previous five years.
 - (g) Maps that show the soil types, flooding frequency, site entrance and applicable isolation distances.
 - (h) A copy of the most recent soil test results.
 - (i) Any other information requested by the director or an authorized representative.
- (2) At a minimum, the isolation distances and site specific requirements contained in paragraphs (C) and (D) of rule 3745-40-08 of the Administrative Code shall be considered to determine the suitability of a site for the beneficial use of biosolids.
- (3) The director or an authorized representative shall notify the permittee in writing as to whether the site is authorized for the beneficial use of class B biosolids pursuant to the permittee's NPDES permit



or approved biosolids management plan. A site authorization may include conditions to protect public health and the environment and to prevent creation of nuisance odors.

(4) Ohio EPA shall maintain a map that includes each site authorized for the beneficial use of class B biosolids and make the map available on Ohio EPA's website.

(B) Biosolids shall be beneficially used at a site in accordance with this chapter, the permittees NPDES permit or approved biosolids management plan, and the conditions stated in the notice of authorization of the specific beneficial use site.

(C) Authorization to beneficially use biosolids at a site shall be valid for only the treatment works that are owned by the same permittee who signs the beneficial use site authorization application form approved by the director.

[Comment: For example, a municipality that has two different NPDES permitted treatment works would be authorized to beneficially use biosolids from either treatment works at a single beneficial use site.]

(D) Authorized beneficial use site transfer. Any permittee who wishes to transfer an authorized beneficial use site from one treatment works to another shall make the request in writing on forms approved by the director and obtain written notice from the director or an authorized representative that the transfer is authorized prior to beneficial use at the authorized beneficial use site.

(E) Amending an authorized beneficial use site. Prior to amending the acreage for a currently authorized beneficial use site or reducing an isolation distance from an occupied structure, a permittee shall request the change in writing on forms approved by the director, provide additional information if requested by the director or an authorized representative, and shall receive written notice from the director or an authorized representative that the amendment to the beneficial use site acreage or reduction of the isolation distance is authorized.

(F) Re-certification of beneficial use site criteria. The permittee shall certify that prior to beneficial use, each authorized beneficial use site was evaluated for changes at or near the authorized beneficial use site.



(1) Prior to the beneficial use of biosolids at an authorized beneficial use site, the permittee shall evaluate the site for any changes that have occurred at the site or near the site that may affect the site restrictions. Changes to evaluate shall include, but not be limited to all of the following:

(a) The addition of occupied structures, schools, private potable water sources within three hundred feet, or medical care facilities within one thousand feet of the site.

(b) The addition or change in the sanitary isolation distance of a public water system, the emergency management zone of a public water system, the inner management zone of a community or non-transient, non-community public water system, or a drinking water well for a transient, non-community public water system.

(c) The addition of, or change in, subsurface tile drainage.

(d) Changes in the food crops grown at the site.

(e) Change of site owner, beneficial use site operator, or beneficial user.

(2) If no changes have occurred at or near the authorized beneficial use site since the site was authorized, the permittee shall certify that no changes were made on the annual sludge report or other report specified by Ohio EPA.

(3) If any changes have occurred at or near the authorized beneficial use site since the site was authorized, the permittee shall comply with the applicable site restrictions in this chapter of the Administrative Code and report the changes on the annual sludge report or other report specified by Ohio EPA.