

The title and text of the chapter are being revised to use the term “biosolids” instead of “residuals” since “biosolids” is the prevalent term used nationally.

CHAPTER 62-640

BIOSOLIDS~~DOMESTIC WASTEWATER RESIDUALS~~

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The index is being altered to reflect organizational changes.

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13

1 **62-640.100 Scope, Intent, Purpose, and Applicability.**

2 (1) All domestic wastewater treatment facilities which use biological treatment
3 processes generate biosolids ~~domestic wastewater residuals~~ as a by-product of the
4 treatment process. The Department finds that unregulated use, disposal, or land
5 application of biosolids ~~these residuals~~ poses a threat to the environment and public
6 health.

New subsection 62-640.100(1)(a) allows the separation of concepts.

7 (a) It is the intent of the Department in this chapter to regulate the
8 management, use, and land application of biosolids ~~residuals~~ so as to ensure protection
9 of the environment and public health.

New subsection 62-640.100(1)(b) demonstrates the Department's encouragement of the highest levels of biosolids treatment, quality, and use.

10 (b) The Department encourages the highest levels of treatment, quality, and
11 use for biosolids.

Current subsection 62-640.100(2) is renumbered and revised to encourage publicly acceptable beneficial use, instead of just "beneficial use".

12 (c)(2) The Department encourages ~~also intends in this chapter to encourage~~ the
13 beneficial use of biosolids in a manner which will increase public acceptance ~~residuals~~.

14 (2)(3) This chapter establishes minimum requirements for biosolids ~~residuals~~
15 which are to be applied to land for agricultural purposes, distributed and marketed, or
16 used for land reclamation. Included are biosolids ~~residuals~~ which are composted with
17 yard trash, wood chips, or similar bulking agents and ultimately applied to land or
18 distributed and marketed.

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1 ~~(3)(4)~~ This chapter also establishes minimum requirements for septage which
 2 will be treated at facilities permitted by the Department and will be applied to land for
 3 agricultural purposes or land reclamation.

Current subsection 62-640.100(5) is renumbered and revised to remove “the treatment of” since the rule covers more than just “treatment”.

4 ~~(4)(5)~~ The purpose of Chapter 62-640, F.A.C., is to provide minimum
 5 ~~requirements standards for biosolids the treatment of residuals and septage to be~~
 6 ~~applied to land, or distributed and marketed; establish land application criteria; and~~
 7 ~~define requirements for agricultural operations which have received or will receive~~
 8 ~~biosolids residuals or septage.~~

9 ~~(5)(6)~~ Applicability.

Current subsection 62-640.100(6)(a) is renumbered and revised to:

- remove references to septage management facilities since these are addressed in another subsection; and,
- remove references to uses since the rule will be applicable to all facilities generating, treating, or managing biosolids.

10 (a) Requirements in this chapter shall apply to domestic wastewater treatment
 11 ~~facilities and biosolids, residuals management facilities, and septage management~~
 12 ~~facilities that generate, treat, or manage biosolids residuals or septage which are to be~~
 13 ~~applied to agricultural sites or reclamation sites, or which are distributed and marketed.~~

14 (b) ~~Requirements~~ The requirements in this chapter shall also apply to appliers
 15 or distributors of ~~biosolids or biosolids residuals or residuals~~ products, and to owners or
 16 operators of ~~application sites agricultural sites or reclamation sites~~ which receive
 17 ~~biosolids residuals.~~

Subsection 62-640.100(6)(c) is being removed because it is out-of-date.

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1 ~~(c) Unless specifically provided otherwise in this chapter, requirements in this~~
 2 ~~chapter shall apply to all facilities which generate residuals or apply residuals to~~
 3 ~~agricultural sites or reclamation sites, or which distribute and market residuals or~~
 4 ~~operate an agricultural site or reclamation site, for which complete permit applications~~
 5 ~~were received after December 1, 1997.~~

Current subsection 62-640.100(6)(d) is renumbered and revised to remove the grandfathering date.

6 ~~(c)(d)~~ Unless specifically provided otherwise in this chapter, requirements in this
 7 chapter shall apply to all septage management facilities that treat more than 10,000
 8 gallons per day monthly average daily flow or more than 20,000 gallons in a single day,
 9 and that apply septage to agricultural sites or reclamation sites. Requirements ~~The~~
 10 ~~requirements~~ of this chapter shall also apply to appliers of septage, and to operators or
 11 owners of an agricultural site or reclamation site which have received ~~has had~~ septage
 12 from facilities permitted under this chapter ~~applied to the land after December 1, 1997.~~

Current subsection 62-640.100(6)(e) is renumbered and revised to clarify that the rule requirements apply to the treated material from biosolids treatment facilities and SMFs regulated by DEP (since these facilities treat a variety of wastes).

13 ~~(d)(e)~~ Unless specifically provided otherwise in this chapter, requirements in this
 14 chapter that apply to biosolids residuals shall also apply to septage from facilities
 15 regulated by the Department, ~~and to products derived from such septage, or biosolids~~
 16 ~~residuals~~, or combinations thereof, and to the products and treated material from
 17 biosolids treatment facilities and septage management facilities regulated by the
 18 Department.

Current subsection 62-640.100(6)(f) is renumbered and revised to remove the grandfathering date.

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1 ~~(e)(f)~~ Unless specifically provided otherwise in this chapter, requirements in this
 2 chapter shall apply to composting facilities, as defined by this chapter, which use yard
 3 trash, wood chips, or similar bulking agents, and apply the resulting compost to land or
 4 distribute and market the resulting compost ~~after December 1, 1997.~~

Current subsection 62-640.100(6)(g) is renumbered and revised to establish the date for considering facilities as “existing facilities.”

5 ~~(f)(g)~~ Facilities which have submitted a complete wastewater permit application
 6 or which have received an initial permit before ~~(the effective date of the rule)~~ December
 7 1, 1997, are considered to be existing facilities and shall meet the requirements of this
 8 chapter in accordance with subsection (g) through (i) ~~(h)~~ below.

Current subsection 62-640.100(6)(h) is renumbered and provides clarification on the use of permitted application sites.

9 ~~(g)(h)~~ Unless specifically provided otherwise in this chapter, existing facilities
 10 ~~Existing facilities~~ in Florida shall comply with the these requirements of this chapter at
 11 ~~the time of renewal or substantial revision of the wastewater permit, whichever occurs~~
 12 ~~first~~ including the requirement to use permitted application sites in accordance with Rule
 13 62-640.300(3), F.A.C. Existing facilities may choose to comply with the requirements of
 14 this chapter prior to the time specified in this rule by obtaining a permit revision under
 15 Chapter 62-620, F.A.C.

New subsection 62-640.100(5)(h) provides further clarification on existing facilities renewing permits during the first year of rule implementation, including a clarification regarding the revised requirements in 373.4595, F.S.

16 (h) Permittees submitting an application to renew an existing wastewater
 17 facility permit prior to (one year after the effective date of the rule) may choose to
 18 continue to manage biosolids in accordance with the existing permit until the

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1 subsequent permit renewal or (six years after the effective date of the rule), whichever
 2 occurs first. However, this provision does not supercede the requirements of Section
 3 373.4595, Florida Statutes (F.S.), for land application and distribution and marketing of
 4 biosolids within the Lake Okeechobee, St. Lucie River, and Caloosahatchee River
 5 watersheds.

Current subsection 62-640.100(6)(i) is replaced and now further clarifies that a facility must comply with the requirements imposed on a permitted application site by this chapter (if the facility uses that site).

6 (i) If an existing facility uses an application site that is permitted or becomes
 7 permitted, then the use and application of the facility's biosolids at the permitted
 8 application site shall comply with the requirements of this chapter and the associated
 9 permit for the application site, which supersede the existing facility permit.

10 ~~_____ (i) _____ Until such time as the wastewater permit is renewed or a new permit is~~
 11 ~~issued for expansion or substantial modification of the facility, the facility shall comply~~
 12 ~~with the requirements for land application of residuals or septage in the existing permit.~~

13 (j) Biosolids or biosolids residuals or residuals products which are generated
 14 outside of Florida but imported to Florida are subject to the provisions of this chapter
 15 beginning (effective date of the rule) December 1, 1997.

16 (6) Other Applicable Rules.

Current subsections 62-640.100(6)(k)1. – 4. are renumbered and revised with minor sentence structure changes.

17 (a)(k) ~~Septage~~ The following activities are excluded from the requirements of
 18 this chapter:

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1 | ~~1. Regulation of septage management facilities that treat 10,000 gallons per~~
 2 | ~~day or less on a monthly average daily flow basis and no more than 20,000 gallons in a~~
 3 | ~~single day. These facilities are regulated by the Department of Health in accordance~~
 4 | ~~with Chapter 64E-6, F.A.C.~~

5 | ~~2. Land application of septage treated by these facilities which are also~~
 6 | ~~regulated by the Department of Health in accordance with Chapter 64E-6, F.A.C.~~

7 | ~~(b)3. Disposal of biosolids residuals, septage, and other solids in a solid waste~~
 8 | ~~landfill. Disposal of these materials shall be in accordance with Chapter 62-701, F.A.C.~~

9 | ~~(c)4. Disposal of biosolids residuals by placement on land for purposes other~~
 10 | ~~than soil conditioning or fertilization, such as at a monofill, surface impoundment, waste~~
 11 | ~~pile, or dedicated site. Disposal in such cases shall be in accordance with Chapter 62-~~
 12 | ~~701, F.A.C.~~

13 | Current subsection 62-640.100(6)(k)5. is renumbered and revised to delete out-of-date air rules.

14 | ~~(d)5. Incineration of residuals. Incineration of biosolids is regulated under~~
 15 | ~~residuals shall meet the requirements of Chapters 62-204, 62-210, 62-212, 62-213, 62-~~
 16 | ~~272, 62-273, 62-275, 62-296, and 62-297, F.A.C., and the Resource Conservation and~~
 16 | ~~Recovery Act.~~

17 | Current subsection 62.640.100(6)(k)6. is renumbered, revised, and reworded for clarification but no
 18 | change in intent.

17 | ~~(e)6. Co-composting of biosolids residuals with solid waste other than yard~~
 18 | ~~trash, wood chips, or similar bulking agents shall be in accordance with Chapter 62-640,~~
 19 | ~~F.A.C. Co-composting of biosolids residuals with other solid waste materials shall be in~~
 20 | ~~accordance with Chapter 62-709, F.A.C.~~

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Current subsection 62-640.100(6)(k)7. is renumbered and revised to clarify that biosolids requirements, as well as any other applicable requirements, apply when biosolids are mixed with another material or waste. Non-biosolids materials are inherently covered by other regulations and there is little need to state that.

1 ~~(f)7.~~ Biosolids blended or mixed with other wastes shall meet the requirements
 2 of this chapter. Treatment, management, or disposal of industrial sludges or septage, air
 3 treatment sludges, and water supply treatment.

4 ~~(g)8.~~ Disposal of screenings and grit from the preliminary treatment
 5 components of wastewater treatment facilities, solids from sewer line cleaning
 6 operations, and solids from lift stations and pump stations. Disposal of these materials
 7 shall be in accordance with Chapter 62-701, F.A.C.

New subsection 62-640.100(6)(h) addresses the current state and federal regulations for the transportation of biosolids.

8 (h) Transportation of biosolids is regulated by the Department of
 9 Transportation in accordance with Chapter 316, F.S., and 49 Code of Federal
 10 Regulations (CFR).

New subsection 62-640.100(6)(i) clarifies the exemption for Class AA biosolids distributed and marketed as fertilizer from the general land application requirements.

11 (i) Facilities that distribute and market Class AA biosolids as fertilizer in
 12 accordance with Rule 62-640.850, F.A.C., are not required to meet Rules 62-
 13 640.300(2), (3) and (6); 62-640.500; 62-640.650(3)(b) through (d); 62-640.650(4)(c)
 14 through (j); 62-640.650(5)(c) through (e); 62-640.700; and 62-640.800, F.A.C., unless
 15 the Department determines that the requirements are needed to protect public health or
 16 the environment from any reasonably anticipated adverse effect that may occur from the
 17 management or use of the distributed and marketed biosolids.

1 Specific Authority ~~373.4595,~~ 403.051, 403.061, 403.062, 403.087, 403.088, 403.704,
2 403.707, F.S.

3 Law Implemented ~~373.4595,~~ 403.021, 403.051, 403.061, 403.087, 403.088, 403.0881,
4 403.702, 403.704, 403.707, 403.708, F.S.

5 History - New 08-12-90, Formerly 17-640.110, Amended 3-30-98. Amended _____.

6

7 **~~62-640.110~~ Applicability. (Repealed)**

8 Specific Authority ~~403.061, 403.062, 403.087, 403.088, 403.704, 403.707, FS.~~

9 Law Implemented ~~403.021, 403.061, 403.087, 403.088, 403.0881, 403.702, 403.704,~~
10 ~~403.707, 403.708, FS.~~

11 History - ~~New 08-12-90, Formerly 17-640.110, Repealed 3-30-98.~~

12

13 **62-640.200 Definitions.**

14 Terms used in this chapter shall have the meaning specified below. The meaning of
15 any term not defined below may be taken from definitions in other rules of the
16 Department.

17 (1) "Aerosol" means suspension of ultramicroscopic solid or liquid particles in
18 air.

Subsection 62-640.200(2) is being deleted since Agricultural Use Plans are being replaced by Nutrient Management Plans.

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1 ~~(2)~~ “Agricultural Use Plan” means a formal document submitted to the
 2 Department which describes the controlled use of residuals as part of a planned
 3 agricultural operation.

4 ~~(2)(3)~~ “Agricultural site” means a biosolids residuals application site consisting of
 5 land on which a food crop, a feed crop, or a fiber crop is grown, forest land, or land on
 6 which turf or ornamental plants are grown. This includes range land and land used as
 7 pasture.

Current subsection 62-640.200(4) is removed since the application rate will be determined in the nutrient management plan in accordance with IFAS and NRCS standards.

8 ~~(4)~~ “Agronomic rate” means the whole residuals application rate (dry weight
 9 basis) designed:

10 ~~(a)~~ to provide the amount of nitrogen needed by the food crop, feed crop, fiber
 11 crop, cover crop, or vegetation grown on the land; and

12 ~~(b)~~ to minimize the amount of nitrogen in the residuals that passes below the
 13 root zone of the crop or vegetation grown on the land to the ground water.

14 ~~(3)(5)~~ “Application site” means a property (such as a farm, a ranch or a mining
 15 property) where biosolids or septage residuals are applied to land. Application sites are
 16 identified as either agricultural sites or reclamation sites.

17 ~~(4)(6)~~ “Application zone” means a parcel of land (e.g., a field) to which biosolids
 18 residuals are applied at an application site.

1 ~~(5)(7)~~ “Average daily flow (ADF)” means the total volume of wastewater flowing
 2 into a wastewater facility during some defined period of time, divided by the number of
 3 days in that period of time, expressed in units of mgd.

New subsection 62-640.200(6) is being added to replace subsection 62-640.200(31) and reflects the change from the use of the term “residuals” to “biosolids.” Clarification is added that treated materials from biosolids treatment facilities and DEP-regulated septage management facilities will be considered biosolids for the purposes of this rule.

4 (6) “Biosolids” means the solid, semisolid, or liquid residue generated during
 5 the treatment of domestic wastewater in a domestic wastewater treatment facility,
 6 formerly known as “domestic wastewater residuals” or “residuals”. Not included is the
 7 treated effluent or reclaimed water from a domestic wastewater treatment plant. Also
 8 not included are solids removed from pump stations and lift stations, screenings and grit
 9 removed from the preliminary treatment components of domestic wastewater treatment
 10 facilities, other solids as defined in Rule 62-640.200(31), F.A.C., and ash generated
 11 during the incineration of biosolids. Biosolids include products and treated material from
 12 biosolids management facilities and septage management facilities regulated by the
 13 Department.

New subsection 62-640.200(7) is being added to define a “biosolids management facility” as either a biosolids treatment facility, a septage management facility regulated by DEP, or a biosolids application site.

14 (7) “Biosolids management facility” means a biosolids treatment facility, a
 15 septage management facility regulated by the Department, or an application site.

New subsection 62-640.200(8) is being added to replace subsection 62-640.200(32) and reflects the change from the use of the term “residuals” to “biosolids” and the designation of a biosolids management facility that provides treatment as a “biosolids treatment facility.”

1 (8) “Biosolids treatment facility” means a facility that treats biosolids from
 2 other facilities for the purpose of meeting the requirements of this chapter, before use or
 3 land application. Biosolids treatment facilities may also treat domestic septage and
 4 combinations of biosolids, domestic septage, food establishment sludges, wastes
 5 removed from portable toilets, and wastes removed from holding tanks associated with
 6 boats, marinas, and onsite sewage treatment and disposal systems, before use or land
 7 application.

Current subsections 62-640.200(9) – (11) are being clarified to cover vector attraction reduction and parameter concentration requirements.

8 (9)(8) “Class A biosolids residuals” means biosolids residuals that meet the Class
 9 A pathogen reduction requirements of Rule 62-640.600(1)(a), F.A.C., the vector
 10 attraction reduction requirements of Rule 62-640.600(2)(a), F.A.C., and the parameter
 11 concentrations of Rule 62-640.700(5)(a), F.A.C.

12 (10)(9) “Class AA biosolids residuals” means Class A biosolids residuals
 13 that meet the Class A pathogen reduction requirements of Rule 62-640.600(1)(a),
 14 F.A.C., the vector attraction reduction requirements of Rule 62-640.600(2)(b), F.A.C.,
 15 and the parameter concentrations of Rules 62-640.700(5)(a) and (b), F.A.C. all the
 16 requirements of Rule 62-640.850, F.A.C.

17 (11)(10) “Class B biosolids residuals” means biosolids residuals that meet the
 18 Class B pathogen reduction requirements of Rule 62-640.600(1)(b), F.A.C., the vector
 19 attraction reduction requirements of Rule 62-640.600(2)(a), F.A.C., and the parameter
 20 concentrations of Rule 62-640.700(5)(a), F.A.C.

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1 ~~(12)~~(11) “Composting Facility” means a facility, as defined in Rule 62-
 2 640.200(20), F.A.C. ~~Rule 62-640.200(21), F.A.C.,~~ that uses composting technology for
 3 treatment of biosolids~~residuals~~. Processing may include physical turning, windrowing,
 4 aeration, or other mechanical handling of biosolids~~residuals~~.

5 ~~(13)~~(12) “Conservation Plan” means a formal document, prepared or
 6 approved by a local Soil and Water Conservation District Board organized pursuant to
 7 Chapter 582, F.S., which outlines a system of management practices for a specific
 8 parcel of property to control soil erosion, reduce sediment loss, protect the water quality
 9 and manage nutrient use.

New subsection 62-640.200(14) adds the definition of “Delegated Local Program” which is used in the rule. The same definition is used in other Department rules.

10 ~~(14)~~ “Delegated Local Program” means any county, municipality, or
 11 combination thereof that has established and administers a pollution control program
 12 approved by the Department in compliance with Section 403.182, F.S., as amended.

13 ~~(15)~~(13) “Department” means the Florida Department of Environmental
 14 Protection.

15 ~~(16)~~(14) “Design capacity” shall be as defined in Chapter 62-600, F.A.C.
 16 The design capacity for biosolids treatment~~residuals management~~ facilities shall be
 17 expressed in units of dry tons per day.

18 ~~(17)~~(15) “Distribution and Marketing” is the giveaway or sale of biosolids
 19 ~~residuals~~ meeting the criteria of Rule 62-640.850, F.A.C., or a product derived from
 20 such biosolids, ~~residuals~~, either packaged or in bulk form, by owners or operators of

1 | treatment works or by a person who receives ~~biosolids residuals~~ or ~~biosolids residual~~
 2 | products from treatment works.

3 | ~~(18)(16)~~ “Dry weight basis” means calculated on the basis of having been
 4 | dried at 105 degrees Celsius until reaching a constant mass (i.e., essentially 100
 5 | percent solids content).

New subsection 62-640.200(19) adds the definition of “existing application sites” which is used for the purposes of site permitting and related to existing facilities.

6 | ~~(19)~~ “Existing application site” means a site approved for land application or
 7 | land reclamation under an active wastewater facility permit or included in a complete
 8 | permit application submitted before (the effective date of the rule).

9 | ~~(20)(17)~~ “Facility” means a domestic wastewater treatment facility, a
 10 | ~~biosolids residuals~~ management facility, or a septage management facility.

11 | ~~(21)(18)~~ “Feed crops” mean crops produced primarily for consumption by
 12 | animals.

New subsection 62-640.200(22) adds the definition of “fertilizer” for the purposes of distributed and marketed biosolids.

13 | ~~(22)~~ “Fertilizer” means a material regulated as a fertilizer under Chapter 576,
 14 | F.S., and Chapter 5E-1, F.A.C.

15 | ~~(23)(19)~~ “Fiber crops” mean crops such as flax and cotton which are
 16 | produced primarily for the manufacture of products and are not consumed by humans or
 17 | animals.

18 | ~~(24)(20)~~ “Food crops” mean crops consumed by humans.

1 ~~(25)~~(21) “Food establishment sludge” means oils, fats, greases, food scraps,
2 and other grease interceptor contents generated by a food operation or institutional food
3 preparation facility.

New subsection 62-640.200(26) adds the definition of “incorporation” which will be required by rule in certain land application situations.

4 (26) “Incorporation” means the mixing of biosolids with topsoil by such means
5 as discing, plowing, tilling, or equivalent means to reduce exposure to the biosolids.

6 ~~(27)~~(22) “Industrial sludges” means all sludges that are primarily composed
7 of materials generated through ana manufacturing or other industrial process or from an
8 industrial wastewater activity or facility.

New subsection 62-640.200(28) adds the definition of “injection” similar to “incorporation.”

9 (28) “Injection” means the subsurface placement of liquid biosolids to reduce
10 exposure to the biosolids.

11 ~~(29)~~(23) “Liquid biosolids residuals” means any biosolids residuals that are
12 less than 12% solids by weight, or that are determined to contain free liquids as defined
13 by Method 9095 (Paint Filter Liquids Test), as described in “Test Methods for Evaluating
14 Solid Wastes, Physical/Chemical Methods” (EPA Pub. No. SW-846), which is
15 incorporated herein ~~here~~ by reference.

New subsection 62-640.200(30) adds a definition for “Nutrient Management Plan.”

16 (30) “Nutrient Management Plan” (NMP) means a site-specific plan, developed
17 in accordance with Rule 62-640.500, F.A.C., establishing the rate at which all biosolids,
18 soil amendments, and sources of nutrients can be applied to the land to provide

1 adequate nutrients for crop growth while minimizing the amount of pollutants and
 2 nutrients discharged to waters of the State.

3 ~~(31)(24)~~ “Other solids” means material, primarily sand and inorganic matter,
 4 removed from domestic wastewater treatment processes during primary and secondary
 5 treatment. Not included are solids removed from pump stations and lift stations, solids
 6 from sewer line cleaning operations, and screenings and grit removed from the
 7 preliminary treatment components of domestic wastewater treatment facilities.

8 ~~(32)(25)~~ “Pathogens” or “pathogenic organisms” means disease-causing
 9 organisms. These include certain bacteria, protozoa, viruses, and viable helminth ova
 10 and any other organisms that cause disease.

11 ~~(33)(26)~~ “Permitted capacity” shall be as defined in Chapter 62-600, F.A.C.
 12 The permitted capacity for biosolids treatment~~residuals management~~ facilities shall be
 13 expressed in units of dry tons per day.

New subsection 62-640.200(34) adds a definition for a “person.”

14 ~~(34)~~ “Person” means any individual, corporation, firm, partnership, limited
 15 partnership, association, or joint stock association.

New subsection 62-640.200(35) adds the definition for pH based on Part 503.

16 ~~(35)~~ “pH” means the logarithm of the reciprocal of the hydrogen ion
 17 concentration measured at 25 degrees Centigrade or measured at another temperature
 18 and then converted to an equivalent value at 25 degrees Centigrade.

Current subsection 62-640.200(27) is renumbered and revised to clarify the definition of “pH of residuals-soil mixture.”

1 ~~(36)(27)~~ “pH of biosolids~~residuals~~-soil mixture” means the pH value obtained
 2 by taking a core sample of~~sampling the~~ soil to the depth of six inches or to the depth of
 3 biosolids~~residuals~~ placement, whichever is greater. ~~If residuals are surface applied, a~~
 4 ~~core sample shall be collected through the surface to a depth of six inches.~~

Subsection 62-640.200(28) is deleted and replaced with definitions for “private drinking water supply well” and “public drinking water supply well” used in other wastewater rules.

5 ~~(28)~~ “Potable water supply well” means a well used as a source of water for
 6 drinking, culinary, or domestic purposes.

New subsection 62-640.200(37) adds the definition of “private drinking water supply well” used in other wastewater rules.

7 ~~(37)~~ “Private drinking water supply well” means a well serving a private or
 8 multifamily water system as defined in Rule 62-532.200, F.A.C.

New subsection 62-640.200(38) adds the definition of “public drinking water supply well” used in other wastewater rules.

9 ~~(38)~~ “Public drinking water supply well” means a well serving a public water
 10 system as defined in Rule 62-550.200, F.A.C.

11 ~~(39)(29)~~ “Reclaimed water” shall be as defined in Chapter 62-610, F.A.C.

12 ~~(40)(30)~~ “Reclamation site” means a biosolids~~residuals~~ application site
 13 consisting of drastically disturbed land that is reclaimed using biosolids~~residuals~~, such
 14 as strip mines and construction sites.

Subsection 62-640.200(31) is deleted and replaced by subsection 62-640.200(6) to reflect the change to the use of the term “biosolids” instead of “residuals.”

15 ~~(31)~~ “Residuals” or “domestic wastewater residuals” means the solid,
 16 semisolid, or liquid residue generated during the treatment of domestic wastewater in a
 17 domestic wastewater treatment facility. Not included is the treated effluent or reclaimed

1 | ~~water from a domestic wastewater treatment plant. Also not included are solids~~
 2 | ~~removed from pump stations and lift stations, screenings and grit removed from the~~
 3 | ~~preliminary treatment components of domestic wastewater treatment facilities, other~~
 4 | ~~solids as defined in Rule 62-640.200(24), F.A.C., and ash generated during the~~
 5 | ~~incineration of residuals.~~

Subsection 62-640.200(32) is deleted and replaced by subsection 62-640.200(8) to reflect the change to the use of the term “biosolids” instead of “residuals.” The revision also further classifies a facility that provides treatment to biosolids from other facilities as a “biosolids treatment facility,” which is a subset type of “biosolids management facility.”

6 | ~~(32) “Residuals management facility” means a facility, such as a composting or~~
 7 | ~~blending facility, that treats residuals from other facilities for the purpose of meeting the~~
 8 | ~~requirements of this chapter, before use or land application. Residuals management~~
 9 | ~~facilities may also treat domestic septage and combinations of residuals, domestic~~
 10 | ~~septage, food establishment sludges, wastes removed from portable toilets, and wastes~~
 11 | ~~removed from holding tanks associated with boats, marinas, and onsite sewage~~
 12 | ~~treatment and disposal systems, before use or land application.~~

Current subsection 62-640.200(33) is renumbered and revised so that the definition of “Restricted Public Access” includes a requirement to inform workers and other persons allowed access, of the nature of the application site and proper conduct.

13 | ~~(41)(33)~~ “Restricted public access” means that access to a land application
 14 | site by the general public is both controlled and infrequent. Restricted public access
 15 | application sites are Such sites will be accessible to persons authorized by the site
 16 | owner, site manager, or facility permittee, such as farm personnel, wastewater facility
 17 | operators, and biosolids residuals or septage haulers provided the authorized persons
 18 | are given information and instructions by the site owner, site manager, or facility

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1 permittee regarding the nature of the application site , the biosolids applications, and
 2 general procedures to follow such as those found in the NIOSH manual Guidance for
 3 Controlling Potential Risks to Workers Exposed to Class B Biosolds, Rule 62-
 4 640.210(1)(j), F.A.C.

5 ~~(42)(34)~~ “Septage” means a mixture of sludge, fatty materials, human feces,
 6 and wastewater removed during pumping of an onsite sewage treatment and disposal
 7 system. Excluded from this definition are the contents of portable toilets, holding tanks,
 8 and grease interceptors.

Current subsection 62-640.200(35) is renumbered and revised to reference the rule that describes which SMFs are regulated by DOH.

9 ~~(43)(35)~~ “Septage management facility” means a stationary facility that
 10 treats only domestic septage or combinations of domestic septage, food establishment
 11 sludges, wastes removed from portable toilets, and wastes removed from holding tanks
 12 associated with boats, marinas, and onsite sewage treatment and disposal systems,
 13 before use or land application. Septage management facilities that are regulated by the
 14 Department are as described in Rule 62-640.100(5)(c), F.A.C.

New subsection 62-640.200(44) adds definition of “site manager.”

15 ~~(44)~~ “Site Manager” means the person who operates or manages the
 16 application site to ensure biosolids are applied in accordance with the requirements of
 17 this chapter. The site manager is identified on Form 62-640.210(2)(d).

18 ~~(45)(36)~~ “Source facility” means a facility that sends ~~biosolids residuals~~ to a
 19 ~~biosolids treatment residuals management~~ facility for treatment before use or land
 20 application.

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1 | ~~(46)(37)~~ “Ton” means a short ton (2,000 pounds or 0.90718 metric ton).

2 | ~~(47)(38)~~ “Toxic substances” means either of the following:

3 | (a) Hazardous wastes as defined in Chapter 62-730, F.A.C.

4 | (b) A substance which is present in sufficient concentration to pose a serious
5 | danger to the public health, safety, or welfare.

6 | ~~(48)(39)~~ “Treatment” means the process of altering the character or physical
7 | or chemical condition of waste to prevent pollution of water, air, or soil, to safeguard the
8 | public health, or enable the waste to be beneficially used. Treatment includes blending,
9 | dewatering, and any process that alters the quality or quantity of the material for the
10 | purpose of meeting the requirements of this chapter. Treatment does not include
11 | storage of biosolids~~residuals~~.

12 | ~~(49)(40)~~ “Vector attraction” means the characteristic of biosolids~~residuals~~
13 | that attracts rodents, flies, mosquitoes, or other organisms capable of transporting
14 | infectious agents.

15 | ~~(50)(41)~~ “Water table” means the upper surface of the zone of saturation
16 | where groundwater pressures are equal to atmospheric pressure, except where that
17 | surface is formed by an impermeable stratum.

18 | ~~(51)(42)~~ “Waters” means those waters defined in Section 403.031, F. S.

19 | ~~(52)(43)~~ “Yard trash” means vegetative matter resulting from landscaping
20 | maintenance or land clearing operations and includes materials such as tree and shrub
21 | trimmings, grass clippings, palm fronds, trees, and tree stumps.

1 Specific Authority 373.4595, 403.051, 403.061, 403.062, 403.087, 403.088, 403.704,
 2 403.707, F.S. Law Implemented 373.4595, 403.021, 403.051, 403.061, 403.087,
 3 403.088, 403.0881, 403.702, 403.704, 403.707, 403.708, F.S.
 4 History - New 08-12-90, Formerly 17-640.200, Amended 3-30-98, Amended _____.

6 **62-640.210 General Technical Guidance and Forms.**

Revised subsection 62-640.210(1) adds “distributors and marketers” to the list of entities that the technical guidance applies to.

7 (1) Unless specifically referenced elsewhere in this chapter, the following
 8 publications are listed as technical guidance to assist facilities, appliers, distributors and
 9 marketers, site managers, and site owners in meeting the requirements of this chapter.
 10 Publications or portions of publications containing enforceable criteria are specifically
 11 referenced elsewhere in this chapter. Information in the publications listed below does
 12 not supersede the specific requirements of this chapter. Members of the public may
 13 request and obtain copies of the publications listed below by contacting the appropriate
 14 publisher at the address indicated. Copies of the publications are on file with the Florida
 15 Secretary of State and the Joint Administrative Procedures Committee of the Florida
 16 Legislature. Copies are also on file and available for review during normal business
 17 hours in the Department's Tallahassee offices and in the Department's district and
 18 branch offices.

19 (a) U.S. Environmental Protection Agency, 1995, Process Design Manual for
 20 Land Application of Sewage Sludge and Domestic Septage, EPA Center for

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1 Environmental Research Information, 26 West Martin Luther King Drive, Cincinnati,
2 Ohio 45268. www.epa.gov.

Subsection 62-640.210(1)(b) is revised to reflect the most current revision to Part 503.

3 (b) Title 40, Code of Federal Regulations, Protection of Environment, 1993,
4 Part 503, "Standards for the Use and Disposal of Sewage Sludge," revised as of April 9,
5 2007 and effective on April 25, 2007 ~~October 25, 1995.~~
6 www.gpoaccess.gov/cfr/index.html.

7 (c) U.S. Environmental Protection Agency, 1989, POTW Sludge Sampling
8 and Analysis Guidance Document, EPA Center for Environmental Research
9 Information, 26 West Martin Luther King Drive, Cincinnati, Ohio 45268. www.epa.gov.

10 (d) U.S. Environmental Protection Agency, Process Design Manual For
11 Sludge Treatment and Disposal, 1979, Center for Environmental Research
12 Information, 26 West Martin Luther King Drive, Cincinnati, Ohio 45268. www.epa.gov.

Subsection 62-640.200(1)(e) is revised to reflect the most current edition of "Recommended Standards for Wastewater Facilities."

13 (e) Recommended Standards for Wastewater Facilities, 2004, Health
14 Education Service, Inc., P.O. Box 7126, Albany, New York 12224 ~~Recommended~~
15 ~~Standards for Sewage Works, 1990, Great Lakes-Upper Mississippi River Board of~~
16 ~~State Sanitary Engineers (Ten State Standards).~~ www.hes.org.

17 (f) U. S. Environmental Protection Agency, Handbook, Septage Treatment
18 and Disposal, 1984, Center for Environmental Research Information, 26 West Martin
19 Luther King Drive, Cincinnati, Ohio 45268. www.epa.gov.

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Subsection 62-640.200(1)(g) is revised to reflect the most current edition of Control of Pathogens and Vector Attraction in Sewage Sludge.

1 (g) U. S. Environmental Protection Agency, Control of Pathogens and Vector

2 Attraction in Sewage Sludge, ~~2003-1992~~, EPA Center for Environmental Research

3 Information, Cincinnati, Ohio, 45268. www.epa.gov.

4 (h) U. S. Environmental Protection Agency, 1974, Design Criteria for

5 Mechanical, Electric, and Fluid System and Component Reliability-MCD-05,

6 Environmental Quality Instructional Resources Center, The Ohio State University, 1200

7 Chambers Road, Room 310, Columbus, Ohio 43212. www.epa.gov.

New subsection 62-640.210(1)(i) adds the EPA A Plain English Guide to the Part 503 Biosolids Regulations as a technical reference.

8 (i) U.S. Environmental Protection Agency, 1994, A Plain English Guide to the

9 Part 503 Biosolids Regulations, EPA Center for Environmental Research Information,

10 26 West Martin Luther King Drive, Cincinnati, Ohio 45268. www.epa.gov.

New subsection 62-640.210(1)(j) adds the NIOSH Guidance for Controlling Potential Risks to Workers Exposed to Class B Biosolids as a technical reference.

11 (j) National Institute for Occupational Safety and Health, 2002, Guidance for

12 Controlling Potential Risks to Workers Exposed to Class B Biosolids, NIOSH-

13 Publications Dissemination, 4676 Columbia Parkway, Cincinnati, Ohio 45226-1998.

14 www.cdc.gov/niosh/homepage.html.

New subsection 62-640.210(1)(k) adds the EPA/USDA Guide to Field Storage of Biosolids as a technical reference.

15 (k) U.S. Environmental Protection Agency, 2000, Guide to Field Storage of

16 Biosolids, EPA Center for Environmental Research Information, 26 West Martin Luther

17 King Drive, Cincinnati, Ohio 45268. www.epa.gov.

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New subsection 62-640.210(1)(l) – (p) adds various agricultural-related documents as technical guidance.

1 (l) USDA Natural Resources Conservation Service, 1999, “General Manual,
 2 Title 190, Part 402 – Nutrient Management”, USDA-NRCS, Washington, DC,
 3 www.nrcs.usda.gov/technical.

4 (m) USDA Natural Resources Conservation Service - Florida, 2007, “Field
 5 Office Technical Guide – Nutrient Management, Code 590”, USDA-NRCS-FL,
 6 Gainesville, FL, www.fl.nrcs.usda.gov/technical.

7 (n) USDA Natural Resources Conservation Service - Florida, 2004, “Field
 8 Office Technical Guide – Waste Utilization, Code 633”, USDA-NRCS-FL, Gainesville,
 9 FL, www.fl.nrcs.usda.gov/technical.

10 (o) Kidder, G. and R.D. Rhue, 1997, Soil Testing, UF/IFAS Circular 239,
 11 <http://edis.ifas.ufl.edu/SS156>.

12 (p) Mylavarapu, R.S. and E.D. Kennelley, 2002, Extension Soil Testing
 13 Laboratory (ESTL) Analytical Procedure and Training Manual, UF/IFAS Circular 1248,
 14 <http://edis.ifas.ufl.edu/SS312>.

15 (2) Forms. The forms and instructions used by the Department are listed in
 16 this rule. The rule numbers are the same as the form numbers. ~~The forms are~~
 17 ~~incorporated by reference in this rule.~~ Copies of these forms and instructions may be
 18 obtained by writing to the Bureau of Wastewater Facilities, Mail Station 3535,
 19 Department of Environmental Protection, ~~Twin Towers Office Building~~, 2600 Blair Stone
 20 Road, Tallahassee, Florida, 32399-2400. In addition, these forms are available at the
 21 Department's District Offices as described in Chapter 62-101, F.A.C. The monitoring

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1 information reported on the forms listed below in paragraphs (b) and, (c) and ~~(d)~~ may be
 2 submitted in another format if requested by the permittee and if approved by the
 3 Department as being compatible with data entry into the Department’s computer
 4 system. The Department adopts and incorporates by reference in this section the
 5 following forms and instructions:

Subsection 62-640.210(2)(a) is revised to change the name of the form to “Treatment Facility Biosolids Plan.”

6 (a) Treatment Facility Biosolids Agricultural Use Plan, Form 62-640.210(2)(a),
 7 effective _____ ~~December 1, 1997.~~

Subsection 62-640.210(2)(b) is revised to change the form title to “Treatment Facility Annual Summary.”

8 (b) Treatment Facility Residuals Annual Summary, Form 62-640.210(2)(b),
 9 effective _____ ~~December 1, 1997.~~

Subsection 62-640.210(2)(c) is revised to remove the “Monthly Distribution and Marketing Report” and to add the “Biosolids Application Site Annual Summary” form for reporting by application sites.

10 (c) Biosolids Application Site Annual Summary, Form 62-640.210(2)(c),
 11 effective _____ ~~Monthly Residuals Distribution and Marketing Report, Form 62-~~
 12 ~~640.210(2)(c), effective December 1, 1997.~~

Subsection 62-640.210(2)(d) is revised to remove the “Residuals Monitoring Report” and add the “Biosolids Application Site Permit Form.”

13 (d) Biosolids Application Site Permit Form, Form 62-640.210(2)(d), effective
 14 _____ ~~Residuals Monitoring Report, Form 62-640.210(2)(d), effective December 1,~~
 15 ~~1997.~~

New subsection 62-640.210(2)(e) is added to facilitate application site log recording.

16 (e) Biosolids Application Site Log, Form 62-640.210(e), effective _____.

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1 Specific Authority 373.4595, 403.051, 403.061, 403.062, 403.087, 403.088, 403.704,
 2 403.707, F.S. Law Implemented 373.4595, 403.021, 403.051, 403.061, 403.087,
 3 403.088, 403.0881, 403.702, 403.704, 403.707, 403.708, F.S.
 4 History - New 08-12-90, Formerly 17-640.210, Amended 3-30-98, Amended _____.

5

6 **62-640.300 General Permit Requirements.**

New subsection 62-640.300(1) clarifies that facilities receiving or generating biosolids shall have a valid Department permit addressing biosolids treatment, use, disposal, etc.

7 (1) Facilities that receive or generate biosolids shall have a valid Department
 8 permit prior to treatment, land application, distribution and marketing, or disposal of
 9 biosolids. Biosolids shall be managed in accordance with the facility permit and the
 10 requirements of this chapter.

New subsection 62-640.300(2) specifies that biosolids application sites shall be permitted, either as a biosolids management facility or, if used by a single facility, then under that facility's permit. If permitted separately, it will be considered a Type III biosolids management facility for fee purposes. Other general provisions for permitting the site are given.

11 (2) Biosolids Application Site Permit
 12 (a) All biosolids application sites shall have a valid Department permit as a
 13 biosolids management facility. Alternatively, when an application site is used solely by a
 14 single facility, the site may be permitted through Department permit for the wastewater
 15 treatment facility, a biosolids treatment facility, or a septage management facility.
 16 1. An individually permitted biosolids application site shall be permitted as a
 17 biosolids management facility in accordance with Rule 62-640.200(7), F.A.C. An

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1 individual biosolids application site permit shall cover only one site and shall not include
2 multiple biosolids application sites.

3 2. A wastewater treatment facility, biosolids treatment facility, or septage
4 management facility permit may include one or more biosolids land application sites.

5 (b) Only one facility or entity shall be responsible for the permitted biosolids
6 application site.

7 (c) Applicants for a permitted biosolids application site shall submit the
8 Biosolids Application Site Permit Form, Form 62-640.210(2)(d), the application fee, and
9 supporting documentation to the appropriate District Office of the Department or
10 delegated local program responsible for the geographic area in which the application
11 site is located.

12 1. If permitted individually, the fee shall be the Type III biosolids
13 management facility fee specified in Rule 62-4.050(4)(b)2.c., F.A.C.

14 2. If permitted in a wastewater treatment facility, biosolids treatment facility,
15 or septage management facility permit, the Biosolids Application Site Permit Form,
16 Form 62-640.210(2)(d), shall be submitted with the facility's application for a new
17 permit, permit renewal, or substantial modification to the permit. No additional fee will
18 be charged beyond the fee required for the facility's application for a new permit, permit
19 renewal, or substantial modification to the permit.

20 (d) Changes to the physical boundaries of the application areas of a permitted
21 application site shall require a minor permit modification.

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New subsection 62-640.300(2)(e) clarifies requirements for permitting new or existing sites and sets a time limit of 6 years from the effective date of the rule for existing sites to become permitted.

1 (e) New application sites shall be permitted prior to use. Existing application
 2 sites shall be permitted prior to applying biosolids from facilities required to use a
 3 permitted site in accordance with Rule 62-640.100(5)(g) and (h), F.A.C. All existing
 4 application sites shall be permitted within six years of (the effective date of the rule).

Current subsection 62-640.300(1) is renumbered and revised to require treatment facilities to identify the application sites they will use in a Treatment Facility Biosolids Plan.

5 (3) Treatment Facility Permit
 6 (a)(4) The permit for a facility that provides final treatment of land applied
 7 biosolids shall identify each permitted biosolids application site where the facility's
 8 biosolids are to be land applied. Residuals shall be applied to an application site only if
 9 the facility generating or treating the residuals has a valid Department permit that
 10 includes an approved Agricultural Use Plan for the site.

11 (b) The Treatment Facility Biosolids Plan, Form 62-640.210(2)(a), shall be
 12 submitted with the permit application to identify sites where the facility's biosolids are
 13 permitted to be land applied.

Current subsection 62-640.300(2) is renumbered and revised to require the identification of new application sites prior to use by a facility.

14 (c)(2) To use an alternate permitted application site not identified on the
 15 submitted Treatment Facility Biosolids Plan, the treatment facility shall notify the
 16 Department within 24 hours before beginning biosolids application at the application site
 17 and submit the applicable revised portions of the Treatment Facility Biosolids Plan,
 18 Form 62-640.210(2)(a), to the Department within 30 days. The revised portion of the

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1 ~~Treatment Facility Biosolids Plan shall become part of the treatment facility permit.~~ ~~New,~~
 2 ~~Expanded or Modified Application Sites - Permit Revisions.~~ ~~Except as allowed in Rule~~
 3 ~~62-620.300(3), F.A.C., the facility's permit shall be revised under Chapter 62-620,~~
 4 ~~F.A.C., to include a new or revised Agricultural Use Plan prior to application of residuals~~
 5 ~~to new application sites or existing approved sites that are expanded or modified.~~
 6 ~~Approval of new, expanded, or modified application sites constitutes a minor permit~~
 7 ~~revision. A facility may submit more than one Agricultural Use Plan with each~~
 8 ~~application for a minor permit revision.~~

Current subsections 62-640.300(3)(a) - (e) are being deleted.

9 ~~(3) New, Expanded or Modified Application Sites - Unusual Circumstances. A~~
 10 ~~permittee who is authorized to land apply residuals may use a new, expanded or~~
 11 ~~modified application site before permit revision if all of the following conditions are met:~~
 12 ~~(a) The permittee notifies the Department within 24 hours that the site is being~~
 13 ~~used;~~
 14 ~~(b) The site meets the site use restrictions of Rule 62-640.600(3), F.A.C., and~~
 15 ~~the criteria for land application of residuals in Rule 62-640.700, F.A.C.;~~
 16 ~~(c) The permittee submits a new or revised Agricultural Use Plan for the site~~
 17 ~~with a permit application in accordance with Rule 62-640.300(2), F.A.C., within 30 days~~
 18 ~~of beginning use of the site;~~
 19 ~~(d) The permittee does not have another approved land application site,~~
 20 ~~another approved disposal method (e.g., landfilling or incineration), or approved storage~~
 21 ~~facilities available for use; and~~

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~~(e) The permittee demonstrates during permit application that application of additional residuals to an existing approved application site would have resulted in violation of Department rules, or was not possible due to circumstances beyond the permittee's control.~~

Current subsection 62-640.300(4) is revised to clarify that treatment facility permittees shall provide for biosolids storage. The revisions include guidance references for storage, and refer to the site storage provisions contained later in this chapter.

(4) Biosolids Residuals Storage at a Treatment Facility.

(a) The treatment facility permittee shall submit a biosolids storage plan with the facility permit application. The permittee shall ensure storage capacity is available to provide retention of biosolids under adverse weather conditions, harvesting conditions, or other conditions which preclude land application or the use or disposal of the facility's biosolids. A minimum 14-day storage capacity shall be provided.

(b) Biosolids storage facilities at the treatment facility shall be designed in accordance with sound engineering practice. General technical guidance is provided in the EPA document Process Design Manual For Sludge Treatment and Disposal, Rule 62-640.210(1)(d), F.A.C.; the Health Education Service document, Recommended Standards for Wastewater Facilities, Rule 62-640.210(1)(e), F.A.C.; and the EPA document Guide to Field Storage of Biosolids, Rule 62-640.210(1)(k), F.A.C.

(c) Biosolids storage at the land application site shall be in accordance with Rule 62-640.700(6)(d), F.A.C. ~~The preliminary design report for a new facility or expansion of an existing facility shall include provisions for storage of treated or untreated residuals or other solids at the facility. Storage of residuals or other solids at~~

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~~an existing facility shall require prior written notification to the Department if the storage lasts longer than 30 days, or if the storage provisions were not addressed in the facility's preliminary design report.~~

(5) Responsibility for Treatment and Proper Use.

Subsection .300(5)(a) is revised to remove "transfer" of responsibility since the treatment facility will always share responsibility with the site.

(a) ~~The wastewater treatment facility permittee or biosolids treatment residuals management facility permittee shall be responsible for proper treatment, management, use, and land application, or disposal of its biosolids residuals. The facility permittee will not be held responsible for violations resulting from land application of residuals if the permittee can demonstrate that it has delivered residuals that meet the parameter concentrations and appropriate treatment requirements of this rule and the applier (e.g. hauler, contractor, site manager, or site owner) has legally agreed in writing to accept responsibility for proper land application of the residuals. Such an agreement shall state that the applier agrees, upon delivery of residuals that have been treated as required by Chapter 62-640, F.A.C., that he will accept responsibility for proper land application of the residuals as required by Chapter 62-640, F.A.C., and that the applier agrees that he is aware of and will comply with requirements for proper land application as described in the facility's permit.~~

(b) A source facility permittee shall not be held responsible for treatment, management, use, or land application, or disposal violations that occur after its biosolids residuals have been accepted by a permitted biosolids treatment residuals management

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1 facility with which the source facility permittee has an agreement in accordance with
 2 Rule 62-640.880(1)(c), F.A.C., for further treatment, management, use or land
 3 application.

New subsection .300(5)(c) requires the site permittee to share responsibility for a facility's biosolids that are applied at the site.

4 (c) The site permittee of a permitted land application site shall share
 5 responsibility with the treatment facility permittee for the proper management, use, and
 6 land application of biosolids at the land application site. The treatment facility permittee
 7 and site permittee of a biosolids application site shall be jointly and severally liable for
 8 any violations specified in Section 403.161(1), F.S., as directed in Section 403.141(2),
 9 F.S.

New subsection 62-640.300(6) adds a requirement for a permittee (treatment facility) spill response plan.

10 (6) Spill Response. The treatment facility permittee shall submit a spill
 11 response plan with the permit application. The plan shall, at a minimum, address clean
 12 up of biosolids in a manner to minimize the potential for public exposure and adverse
 13 impacts on the environment.

New subsection 62-640.300(7) adds a requirement for TCLP testing for new facilities and during permit renewals.

14 (7) Applications for renewal of the treatment facility permit shall include the
 15 results of a Toxicity Characteristic Leaching Procedure analysis on the facility's
 16 biosolids using USEPA Method 1311.
 17 Specific Authority 373.4595, 403.051, 403.061, 403.062, 403.087, 403.088, 403.704,
 18 403.707, F.S.

1 Law Implemented 373.4595, 403.021, 403.051, 403.061, 403.087, 403.088, 403.0881,
2 403.702, 403.704, 403.707, 403.708, F.S.

3 History - New 08-12-90, Formerly 17-640.300, Amended 3-30-98, Amended ____.

4
5 **62-640.400 Prohibitions.**

6 (1) Ocean disposal of biosolids, ~~residuals~~, or disposal of biosolids ~~residuals~~ in
7 any water, including direct discharge to ground water, is prohibited.

New subsection 62-640.400(2) moves the prohibition for violating Florida water quality standards from the "Criteria for Land Application" to the "prohibition" section of the chapter.

8 (2) Land application of biosolids shall not result in a violation of Florida water
9 quality standards.

Current subsection 62-640.400(2) is removed since it is redundant.

10 ~~(2) Residuals which do not meet Class A pathogen reduction requirements~~
11 ~~set forth in Rule 62-640.600(1)(a), F.A.C., shall not be used on playgrounds, parks, golf~~
12 ~~courses, lawns, hospital grounds, or other unrestricted public access areas where~~
13 ~~frequent human contact with the soil is likely to occur and shall not be sold or given~~
14 ~~away in a distribution and marketing program.—~~

15 (3) Biosolids ~~(3) Residuals~~ which are hazardous waste under Chapter 62-
16 730, F.A.C., shall not be applied to land.

17 (4) Biosolids ~~(4) Residuals~~ shall not be discharged into a collection or
18 transmission system without prior consent of the owner of that system.

19 (5) Biosolids ~~(5) Residuals~~ shall not be disposed, ~~of or~~ applied to land, or
20 distributed and marketed except in accordance with the provisions of this chapter.

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Current subsection 62-640.400(6) is modified to clarify that transportation of biosolids is subject to the odor prohibition.

1 (6) The treatment, management, transportation, use, or land application, or
2 disposal of biosolids residuals, shall not cause a violation of the odor prohibition in Rule
3 62-296.320(2), F.A.C.

4 ~~(7) Residuals that do not meet the requirements of this chapter for Class AA~~
5 ~~designation shall not be used for the cultivation of tobacco or leafy vegetables.~~

6 ~~(7)(8)~~ Treatment of liquid biosolids residuals or septage for the purpose of
7 meeting the pathogen reduction or vector attraction reduction requirements set forth in
8 Rule 62-640.600, F.A.C., shall not be conducted in the tank of a hauling vehicle.

9 Treatment of biosolids residuals or septage for the purpose of meeting pathogen
10 reduction or vector attraction reduction requirements shall take place at the permitted
11 facility.

12 ~~(8)(9) Biosolids Residuals~~ that do not meet the requirements of Rule 62-640.850,
13 F.A.C., this chapter for distribution and marketing Class AA designation shall not be
14 shipped into Florida unless shipped to a Department permitted biosolids treatment
15 facility or domestic wastewater facility that has legally agreed in writing to accept
16 responsibility for proper treatment, management, use and land application of the
17 biosolids residuals.

New subsection 62-640.400(9) prohibits the tracking or spilling of residuals off of the facility site or land application site.

18 (9) Class A or B biosolids shall not be spilled from or tracked off the treatment
19 facility site or land application sites by the hauling vehicle.

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New subsection 62-640.400(10) provides consistency with Chapter 62-600, F.A.C.

1 (10) Land application of Class A and Class B biosolids is prohibited within the
 2 primary and secondary protection zones of the Wekiva Study Area in accordance with
 3 Rule 62-600.550, F.A.C. Application of Class AA biosolids that are distributed and
 4 marketed in accordance with Rule 62-640.850, F.A.C., is permissible.

5 Specific Authority 403.051, 403.061, 403.062, 403.087, 403.088, 403.704, 403.707,
 6 F.S.

7 Law Implemented 403.021, 403.051, 403.061, 403.087, 403.088, 403.0881, 403.702,
 8 403.704, 403.707, 403.708, F.S.

9 History - New 08-12-90, Formerly 17-640.400, Amended 3-30-98, Amended _____.

Subsection 62-640.500 is revised to replace the AUP requirements with Nutrient Management Plan requirements.

10 **62-640.500 Nutrient Management Plan (NMP) Agricultural Use Plan.**

11 (1) An initial NMP shall be submitted to the Department when an agricultural
 12 site is permitted.

New subsection 62-640.500(2) requires the NMP to be developed in accordance with FL NRCS Code 590.

13 (2) The NMP shall be developed, or revised as necessary, in accordance with
 14 the USDA-NRCS-FL manual, “Field Office Technical Guide – Nutrient Management,
 15 Code 590”, Rule 62-640.210(1)(m), F.A.C., which is hereby incorporated by reference.
 16 In cases where requirements of this chapter are more stringent than Rule 62-
 17 640.210(1)(m), F.A.C., the requirements of this chapter shall be met.

New subsection 62-640.500(3) requires the submitted NMP to be reviewed and approved by a certified nutrient management planner or P.E. with expertise in nutrient management planning. This is done prior to submittal to the Department.

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1 (3) The NMP shall be reviewed and approved by a person certified by NRCS
 2 for nutrient management planning prior to submittal to the Department. In lieu of NRCS
 3 certification, the review and approval may be conducted by a professional engineer
 4 registered in Florida with expertise in the area of nutrient management planning.

5 (4) The NMP shall identify each application zone to be used at the site as
 6 identified in the Biosolids Application Site Permit Form 62-640.210(2)(d). Application
 7 zones shall be sized to facilitate accurate accounting of nutrient and pollutant loadings
 8 and shall be in accordance with Rule 62-640.700, F.A.C., as applicable for the class(es)
 9 of biosolids that will be applied to the site.

New subsection 62-640.500(5) requires:

- the NMP to cover all sources of inputs;
- use of IFAS or NRCS standards;
- consideration for relative nutrient availability; and,
- accounting for crop nutrient demand, soil tests, and crop yields.

10 (5) The NMP shall provide specific rates of application of biosolids and all
 11 nutrients (e.g. commercial fertilizer, manure, litter, waste bedding, crop residues,
 12 legume credits, and other solids) for all application zones at the site to protect water
 13 quality. Application rates shall be established in accordance with NRCS standards, or
 14 other methods such as soil phosphorus levels or IFAS recommendations, to
 15 appropriately balance the nutrient needs of crops and potential adverse water quality
 16 effects. The NMP shall include all sources of nutrient inputs for the site, the availability
 17 of the nutrients in the biosolids being applied, nitrogen from previous biosolids
 18 applications and how this will be addressed each year, the soil type, the soil nutrients as
 19 determined by a soil fertility test conducted in accordance with Rule 62-640.650(3)(b)1.,

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1 F.A.C., the agronomic nutrient demand of the crops grown at the site, the calcium
 2 carbonate equivalency of any alkaline-treated biosolids and recommended lime
 3 application rates for the site, and realistic crop yields.

New subsection 62-640.500(6) requires that other biosolids-related activities be addressed in the NMP including storage, application, calcium carbonate equivalency, record keeping, personnel, etc.

4 (6) The NMP shall include site-specific best management practices (BMPs) to
 5 address all relevant operation and maintenance activities. The NMP shall contain, at a
 6 minimum, design details and operational procedures for:

7 (a) Biosolids handling, storage, and management at the land application site;

8 (b) On-site land application of all nutrients and organic by-products, including
 9 other solids;

10 (c) Land treatment practices;

11 (d) Record keeping; and

12 (e) Specific personnel, including the site manager, that will be responsible for
 13 implementation of the NMP.

New subsection 62-640.500(7) addresses the availability of nitrogen in calculation of application rates including EPA calculations and incorporation of concepts from the Department's prior nitrogen memo.

14 (7) When considering the availability of nitrogen in biosolids, the following
 15 shall be accepted by the Department:

16 (a) The nitrogen calculation methods found in Chapter 7 of the U.S.

17 Environmental Protection Agency Process Design Manual for Land Application of

18 Sewage Sludge and Domestic Septage, which is hereby incorporated by reference. All

1 calculations and values used in the calculations shall be fully documented and
 2 submitted with the NMP; or

3 (b) In lieu of using the full calculation method for nitrogen in Chapter 7 of the
 4 U.S. Environmental Protection Agency Design Manual for Land Application of Sewage
 5 Sludge and Domestic Septage, once the amount of plant available nitrogen to be
 6 supplied by biosolids has been determined (i.e. the crop nitrogen demand has been
 7 adjusted to take other sources of nitrogen into account), this amount may be multiplied
 8 by a factor of 1.5 (i.e. a 50 percent increase) to determine the amount of total nitrogen
 9 that may be supplied by biosolids.

New subsection 62-640.500(8) includes the basic language and structure of the former phosphorus provisions but simplifies the requirements.

10 (8) For application sites located in geographic areas that have been identified
 11 by statute or rule of the Department as being subject to restrictions on phosphorus
 12 loadings (such as the Everglades Protection Area as set forth in Section 373.4592, F.S.,
 13 Lake Apopka as set forth in Section 373.461, F.S., and the Green Swamp Area as set
 14 forth in Section 380.0551, F.S.), the NMP shall:

15 (a) base application rates on the phosphorus needs of the crop; and

16 (b) address measures that will be used to minimize or prevent water quality
 17 impacts that could result from biosolids application areas to surface waters.

New subsections 62-640.500(9) and (10) include new requirements for biosolids in Section 373.4595, F.S., that were passed in Senate Bill 392 of the 2007 Legislative session.

18 (9) An applicant for a biosolids application site located in the Lake
 19 Okeechobee watershed, including the Kissimmee River watershed, as identified by

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1 Section 373.4595, F.S., shall demonstrate, as part of the NMP, that the phosphorus in
2 the biosolids will not add to phosphorus loadings in Lake Okeechobee or its tributaries.

3 (a) The demonstration shall be based on achieving a net balance between all
4 sources of phosphorus imports relative to exports on the permitted application site.

5 (b) Total phosphorus shall be used for the demonstration.

6 1. At a minimum, the most recent biosolids analysis shall be used to
7 determine the total phosphorus content of the biosolids. The analysis shall be less than
8 one year old. Additional older analyses can be used to average the value if this
9 provides a more accurate value than the single, recent analysis.

10 2. The applicant can use various means, such as plant tissue sampling or
11 literature values, to establish the amount of total phosphorus removed, or expected to
12 be removed, from the site.

13 (c) Exports shall include only phosphorus removed from the Lake
14 Okeechobee watershed through products generated on the permitted application site.
15 Products shall be physical items such as citrus, sod, and hay crops. The products shall
16 not be exported to the St. Lucie River or Caloosahatchee River watersheds.

17 (10) An applicant for a biosolids application sites located in the St. Lucie River
18 and Caloosahatchee River watersheds as identified by Section 373.4595, F.S., shall
19 demonstrate, as part of the NMP, that the nutrients in the biosolids will not add to
20 nutrient loadings in the applicable watershed.

1 (a) The demonstration shall be based on achieving a net balance between all
2 sources of nutrient imports relative to exports on the permitted application site.

3 (b) Total phosphorus and total nitrogen shall be used for the demonstration.

4 1. At a minimum, the most recent biosolids analysis shall be used to
5 determine the total phosphorus and total nitrogen content of the biosolids. The analysis
6 shall be less than one year old. Additional older analyses can be used to average the
7 values if this provides more accurate values than the single, recent analysis.

8 2. The applicant can use various means, such as plant tissue sampling or
9 literature values, to establish the amount of total phosphorus and total nitrogen
10 removed, or expected to be removed, from the site.

11 (c) Exports shall include only nutrients removed from the applicable
12 watershed through products generated on the permitted application site. Products shall
13 be physical items such as citrus, sod, and hay crops. The products shall not be
14 exported to the Lake Okeechobee watershed.

15 ~~(1) — An Agricultural Use Plan, submitted on Department Form 62-~~
16 ~~640.210(2)(a), shall be included in all applications for wastewater permits for all~~
17 ~~facilities, including residuals management facilities and septage management facilities,~~
18 ~~which use one or more residuals application sites, except as provided in Rule 62-~~
19 ~~640.500(7), F.A.C. or Rule 62-640.880(3)(b), F.A.C.~~

20 ~~(2) — The Agricultural Use Plan shall describe how the use of residuals meets~~
21 ~~the general site requirements of Rule 62-640.700(2), F.A.C.~~

1 ~~(3) The plan shall establish the location of each application zone at the site.~~
2 ~~Application zones will be sized to facilitate accurate accounting of nutrient and pollutant~~
3 ~~loading.~~

4 ~~(4) The plan shall consider the nutrient content of all residuals, reclaimed~~
5 ~~water, and all other sources of nitrogen such as commercial fertilizers applied to the~~
6 ~~site, and the agricultural needs of crops grown on the site. For application sites located~~
7 ~~in geographic areas that have been identified by statute or rule of the Department as~~
8 ~~being subject to restrictions on phosphorus loadings (such as the Everglades Protection~~
9 ~~Area as set forth in section 373.4592, F.S., Lake Okeechobee as set forth in section~~
10 ~~373.4595, F.S., and the Green Swamp Area as set forth in section 380.0551, F.S.), the~~
11 ~~plan shall also address the potential for phosphorus movement from the site by~~
12 ~~considering:~~

13 ~~(a) the characterization of soil phosphorus as determined by site-specific soil~~
14 ~~testing. Soil testing shall be performed on samples that are representative of the~~
15 ~~area(s) to which residuals are to be land applied. The plan shall include results of initial~~
16 ~~soil testing performed before the first application of residuals to a land application site.~~
17 ~~The plan shall also describe how soil testing will be accomplished after the completion~~
18 ~~of each crop cycle or growing season but before residuals are applied for the next crop~~
19 ~~cycle or growing season;~~

20 ~~(b) how the phosphorus content of all sources of phosphorus applied to the~~
21 ~~site will be accounted for in establishing residuals application rates at the site;~~

1 ~~(c) — the agricultural phosphorus needs of crops grown at the site;~~

2 ~~(d) — the measures that will be used to minimize or prevent water quality~~
 3 ~~impacts that could result from sediment transport from residuals application areas to~~
 4 ~~surface waters. Such measures may include controlled application rates, berms,~~
 5 ~~terraces, vegetated buffers, retention ponds, application methods, or water quality~~
 6 ~~monitoring; and~~

7 ~~(e) — the capacity of the soil to hold phosphorus.~~

8 ~~(5) — Documentation of the slope determination procedure used for the site,~~
 9 ~~under Rule 62-640.700(7)(b), F.A.C., shall be attached to the plan.~~

10 ~~(6) — The Agricultural Use Plan shall be submitted on Department Form 62-~~
 11 ~~640.210(2)(a), as a part of the application for a wastewater permit for the facility~~
 12 ~~generating the residuals, except as provided in Rule 62-640.880(3), F.A.C.~~

13 ~~(7) — Residuals which qualify as Class AA quality in accordance with Rule 62-640.850,~~
 14 ~~F.A.C., are exempt from the requirements of this section and may be used under the~~
 15 ~~provisions of Rule 62-640.850, F.A.C.~~

16 Specific Authority 373.4595, 403.051, 403.061, 403.062, 403.087, 403.088, 403.704,
 17 403.707, F.S.

18 Law Implemented 373.4595, 403.021, 403.051, 403.061, 403.087, 403.088, 403.0881,
 19 403.702, 403.704, 403.707, 403.708, F.S.

20 History - New 08-12-90, Formerly 17-640.500, Amended 3-30-98, Amended _____.

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Subsection 62-640.600 has been revised to remove “Site Restrictions” (moved to .700) and to require a designed treatment process.

62-640.600 Pathogen Reduction and, Vector Attraction Reduction, and

Site Use Restrictions.

All biosolids residuals applied to land or distributed and marketed shall be treated with a treatment process designed to reduce pathogens and achieve vector attraction reduction in accordance with the requirements of this section. ~~All land application sites shall conform to the site use restrictions of this section.~~ The Department incorporates by reference the pathogen and vector attraction reduction requirements of ~~Title 40 CFR Code of Federal Regulations (CFR) Part 503, subpart D, sections 503.32 and 503.33, revised as of April 9, 2007, and effective on April 25, 2007~~ October 25, 1995, except for the site restrictions in 40 CFR section 503.32(b)(5), the septage requirements in 40 CFR section 503.32(c), and the vector attraction reduction requirements in 40 CFR section 503.33(b)(11) and section 503.33(b)(12).

Subsection 62-640.600(1) has been revised to remove the text after “Pathogen Reduction Requirements” to avoid potential confusion.

(1) Pathogen Reduction Requirements. ~~All residuals applied to the land shall be classified as either Class A or Class B with respect to pathogens.~~

Subsection 62-640.600(1)(a) is added to clarify acceptable pathogen treatment options.

(a) Class A Biosolids. Class A biosolids shall meet one of the pathogen reduction requirements described in 40 CFR 503.32(a)(3), (4), (5), (7), and (8).

New subsection 62-640.600(1)(a)1. sets criteria to be met prior to shifting to monitoring operational parameters in lieu of microbial monitoring.

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1 1. For treatment processes permitted under 40 CFR 503.32(a)(5), a
 2 permittee shall not implement the provisions of 40 CFR 503.32(a)(5)(ii)(D) and
 3 503.32(a)(5)(iii)(D) until:

4 a. The permittee demonstrates to the Department, based on monitoring data
 5 from the facility, that meeting the documented pathogen treatment process operating
 6 parameters will reduce enteric viruses and viable helminth ova below the limits specified
 7 in 40 CFR 503.32(a)(5); and

8 b. The permit is revised to specifically allow the permittee to implement 40
 9 CFR 503.32(a)(5)(ii)(D) and 503.32(a)(5)(iii)(D).

New subsection 62-640.600(1)(a)2. requires processes that are essentially pasteurization with quicklime to address concerns in Chapter 7 of the White House manual.

10 2. Treatment processes equivalent to pasteurization with quicklime permitted
 11 under 40 CFR 503.32(a)(3) or (7) shall follow Section 7.7 in the EPA manual Control of
 12 Pathogens and Vector Attraction in Sewage Sludge, of Rule 62-640.210(1)(g), F.A.C.,
 13 which is hereby incorporated by reference.

14 ~~(a) Class A Residuals. Residuals will be classified as Class A if one of the~~
 15 ~~pathogen reduction requirements described in section 503.32(a), is met.~~

Subsection 62-640.600(1)(b) adds a requirement that the permittee demonstrate a 2 log reduction in addition to meeting the fecal limit when using the fecal monitoring-only option for Class B.

16 (b) Class B Biosolids. Class B biosolids shall meet one of the pathogen
 17 reduction requirements described in 40 CFR 503.32(b). If the fecal coliform monitoring
 18 option under 40 CFR 503.32(b)(2) is used, the permittee shall demonstrate a two-log

1 reduction in the density of fecal coliform bacteria between the raw wastewater influent
 2 solids and the final treated biosolids.

3 ~~(b) Class B Residuals. Residuals will be classified as Class B if one of the~~
 4 ~~pathogen reduction requirements described in section 503.32(b)(2) or (3), is met.~~

Subsection 62-640.600(1)(c) is revised to clarify that septage regulated by the Department is managed as Class B biosolids.

5 ~~(c) Lime Addition to Septage. Septage management facilities that are~~
 6 ~~regulated by the Department, and that do not treat any amount of biosolids residuals,~~
 7 ~~shall satisfy Class B pathogen reduction requirements if sufficient lime is added to~~
 8 ~~produce a pH of 12 for a minimum of 2 hours, or a pH of 12.5 for a minimum of 30~~
 9 ~~minutes. Processes and design shall be in accordance with the guidance for lime~~
 10 ~~stabilization of septage in Chapter 6, Process Design Manual for Sludge Treatment and~~
 11 ~~Disposal, which the Department adopts and incorporates by reference. The pH shall be~~
 12 ~~maintained at or above 11 until the septage is land application, applied, but shall be less~~
 13 ~~than 12.5 at the time of land application. Materials treated in accordance with this~~
 14 ~~provision shall be managed as Class B biosolids.~~

15 (2) Vector Attraction Reduction Requirements.

16 (a) All biosolids residuals applied to land application sites shall meet one of
 17 the vector attraction reduction requirements in 40 CFR section 503.33(b)(1) through
 18 (10), ~~except section 503.33(b)(11) and section 503.33(b)(12).~~

New subsection 62-640.600(2)(b) clarifies that Class AA biosolids and biosolids that are distributed and marketed are limited to VAR options 1-8.

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1 (b) All Class AA biosolids and all biosolids that are distributed and marketed
 2 shall meet one of the vector attraction requirements in 40 CFR 503.33(b)(1) through (8).

3 ~~(c)(b) Lime Addition to Septage.~~ Septage management facilities that are
 4 regulated by the Department, and that do not treat any amount of biosolids residuals,
 5 shall satisfy vector attraction reduction requirements if the Class B pathogen reduction
 6 requirements of Rule 62-640.600(1)(c), F.A.C., are met.

Subsection 62-640.600(3) has been deleted. Class B application site restrictions have been moved to subsection 62-640.700.

7 ~~(3) Site Use Restrictions.~~

8 ~~(b) Class B residuals shall not be used on unrestricted public access areas such as~~
 9 ~~playgrounds, parks, golf courses, lawns, and hospital grounds. Use of Class B~~
 10 ~~residuals is limited to restricted public access areas such as agricultural sites, forests,~~
 11 ~~and roadway shoulders and medians. The public shall be restricted from the application~~
 12 ~~zone for 12 months after the last application of residuals. The following restrictions also~~
 13 ~~apply to the use of Class B residuals:~~

14 1. ~~Plant nursery use of Class B residuals is limited to plants which will not be sold to~~
 15 ~~the public for 12 months after the last application of residuals.~~

16 2. ~~Use of Class B residuals on roadway shoulders and medians is limited to~~
 17 ~~restricted public access roads.~~

18 3. ~~Food crops with harvested parts that touch the residuals/soil mixture and are~~
 19 ~~totally above the land surface shall not be harvested for 14 months after the last~~
 20 ~~application of Class B residuals.~~

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1 ~~4. Food crops with harvested parts below the surface of the land shall not be~~
2 ~~harvested for 20 months after application of Class B residuals when the residuals~~
3 ~~remain on the land surface for four months or longer before incorporation into the soil.~~

4 ~~5. Food crops with harvested parts below the surface of the land shall not be~~
5 ~~harvested for 38 months after application of Class B residuals when the residuals~~
6 ~~remain on the land surface for less than four months before incorporation into the soil.~~

7 ~~6. Food crops, feed crops, and fiber crops shall not be harvested for 30 days~~
8 ~~following the last application of Class B residuals.~~

9 ~~7. Animals shall not be grazed on the land for 30 days after application of Class B~~
10 ~~residuals.~~

11 ~~8. Sod which will be distributed or sold to the public or used on unrestricted public~~
12 ~~access areas shall not be harvested for 12 months after the last application of Class B~~
13 ~~residuals.~~

14 ~~9. The minimum setback distance specified in Rule 62-640.700(4)(d), F.A.C., shall~~
15 ~~be provided between a land application area where Class B residuals are applied, and a~~
16 ~~building occupied by the general public. Specific Authority 403.051, 403.061, 403.062,~~
17 ~~403.087, 403.088, 403.704, 403.707, F.S. Law Implemented 403.021, 403.051,~~
18 ~~403.061, 403.087, 403.088, 403.0881, 403.702, 403.704, 403.707, 403.708, F.S.~~
19 ~~History - New 8-21-90, Formerly 17-640.600, Amended 3-30-98, Amended _____.~~

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1 **62-640.650 Monitoring, Record Keeping, Reporting, and Notification.**

The introduction portion of subsection 62-640.650 has been revised into two subsections which address changes to monitoring requirements.

2 (1) The minimum requirements in this chapter for monitoring, record keeping
3 or reporting by a facility may be increased or reduced by the Department Secretary or
4 ~~the Secretary's designee~~ depending upon site-specific requirements, including the
5 quality or quantity of wastewater or biosolids residuals treated; historical variations in
6 biosolids residuals characteristics; ~~the types of crops grown on the application site,~~
7 industrial wastewater or sludge contributions to the treatment facility; the use, land
8 application, or disposal of biosolids; the water quality of surface and groundwater and
9 the hydrogeology of the area; wastewater or biosolids treatment processes; ~~the level of~~
10 ~~treatment of residuals,~~ and the compliance history of the facility or application site.

11 (2) An increase or reduction in a facility's monitoring or reporting requirements
12 will require a minor permit revision under Rule 62-620.325, F.A.C. Revisions to
13 decrease increase or reduce permit requirements for monitoring or reporting shall be
14 subject the public notice requirements of Rule 62-620.325(2), F.A.C.

15 ~~(3)~~(4) Monitoring Requirements.

16 (a) Biosolids Monitoring.

Subsection 62-640.650(1)(a) is renumbered.

17 1.(a) ~~Biosolids Residuals~~ sampling and analysis to monitor for the pathogen
18 and vector attraction reduction requirements of Rule 62-640.600, F.A.C., and the
19 parameters in Rule 62-640.650(3)(a)3.(1)(b), F.A.C., shall be conducted by the
20 treatment facility in accordance with Title 40 CFR Code of Federal Regulations (CFR)

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1 ~~Part 503, section 503.8~~, and the POTW Sludge Sampling and Analysis Guidance
 2 Document, which the Department adopts and incorporates by reference. In cases
 3 where disagreements exist between ~~Title 40 CFR Part 503, section 503.8~~ and the
 4 POTW Sludge Sampling and Analysis Guidance Document, the requirements in ~~Title 40~~
 5 ~~CFR Part 503, section 503.8~~ will apply.

New subsection 62-640.650(3)(a)2. adds:

- a requirement for facilities to identify all treatment process parameters to be monitored; and,
- a requirement for continual monitoring of the identified process parameters.

6 2. Permit applications for all treatment facilities that land apply or distribute
 7 and market biosolids shall identify the monitoring that will be conducted for all microbial
 8 and all operational and process parameters necessary to demonstrate compliance with
 9 the pathogen reduction and vector attraction reduction requirements of Rule 62-
 10 640.600, F.A.C.

New subsection 62-640.650(3)(a)2.a. requires continual monitoring of process parameters.

11 a. All operational and process parameters, such as time and temperature,
 12 number of windrow turnings, pH readings, etc., shall be monitored on a continual basis
 13 as applicable to the treatment process to demonstrate compliance with Rule 62-
 14 640.600, F.A.C.;

New subsection 62-640.650(3)(a)2. b. adds the requirement for monitoring fecal coliform in the raw or feed biosolids for certain Class B treatment options.

15 b. If the Class B biosolids monitoring option under 40 CFR 503.32(b)(2) is
 16 used, the permittee shall, in addition to the collection of seven representative samples
 17 of the biosolids used or disposed of, collect seven representative samples of the raw

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1 | influent solids and determine the geometric mean of the density of fecal coliform in the
 2 | samples in accordance with Rule 62-640.600(1)(b), F.A.C.

Subsection 62-640.650(1)(b) is renumbered and revised to include “calcium carbonate equivalent” to the list of monitored parameters (but only for alkaline-treated biosolids). The comment on additional monitoring is removed since this is addressed in the opening of .650.

3 | 3.(b) All treatment facilities that land apply or distribute and market biosolids
 4 | shall analyze biosolids residuals for the following parameters, except as provided in
 5 | Rule 62-640.880(5)(a), F.A.C.:

7	Total Nitrogen	% dry weight basis
8	Total Phosphorus	% dry weight basis
9	Total Potassium	% dry weight basis
10	Arsenic	mg/kg dry weight basis
11	Cadmium	mg/kg dry weight basis
12	Copper	mg/kg dry weight basis
13	Lead	mg/kg dry weight basis
14	Mercury	mg/kg dry weight basis
15	Molybdenum	mg/kg dry weight basis
16	Nickel	mg/kg dry weight basis
17	Selenium	mg/kg dry weight basis
18	Zinc	mg/kg dry weight basis
19	pH	standard units
20	Total Solids	%

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1 Calcium Carbonate Equivalent* % dry weight basis

2 * Only required for alkaline treated biosolids

3 ~~Analysis of additional parameters may be required by the Department, based on~~
 4 ~~changes in the quality of the wastewater or residuals as a result of new discharges to~~
 5 ~~the treatment plant, changes in wastewater treatment processes or process efficiency,~~
 6 ~~changes in the treatment, use, land application, or disposal of the residuals, the~~
 7 ~~presence of toxic substances in the residuals, the water quality of surface and ground~~
 8 ~~waters, and hydrogeology of the area. Analysis of additional parameters will require a~~
 9 ~~minor permit revision under Rule 62-620.325, F.A.C.~~

Subsection 62-640.650(1)(c) is renumbered and revised to:

- delete the requirements for pathogen and vector attraction reduction monitoring (these are now covered in new subsections);
- require biosolids management facilities to monitor monthly; and,
- increase the monitoring frequency for each quantity category of biosolids with the highest frequency being monthly.

10 4.(c) Treatment facilities shall monitor microbial paramaters and ~~The required~~
 11 ~~frequency of monitoring for the pathogen and vector attraction reduction requirements of~~
 12 ~~Rule 62-640.600, F.A.C., and the parameters listed in Rule 62-640.650(3)(a)3., F.A.C,~~
 13 ~~(1)(b), F.A.C., shall be as follows:~~

14 a. _____ specified in each facility's permit. ~~For biosolids residuals that are~~
 15 ~~distributed and marketed under the provisions of Rule 62-640.850, F.A.C., the minimum~~
 16 ~~frequency of monitoring shall be once per month.~~

17 b. _____ For biosolids treatment facilities, the minimum frequency of monitoring
 18 shall be once per month.

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1 | c. ____ For all other biosolids residuals, the minimum frequency of monitoring shall
 2 | be in accordance with the following table:

3
 4

<u>Biosolids Residuals-Generated*</u>	<u>Monitoring Frequency</u>
<u>(dry tons per year)</u>	
8 Greater than zero but 9 less than 320.	Once per <u>quarter</u> year.
10 Equal to or greater than 11 320 but less 12 than 1,653.	Once per <u>60 days</u> quarter.
13 Equal to or greater than 14 1,653 but less 15 than 16,535.	Once per <u>month</u> 60 days.
16 Equal to or greater than 17 16,535.	Once per month.

18 | *The amount of biosolids residuals generated shall be based on the permitted
 19 | capacity of the facility.

New subsection 62-640.650(3)(a)5 requires biosolids that will be distributed and marketed to be resampled for fecal coliform or salmonella sp. if the biosolids are not distributed or marketed within 45 days of treatment. This sampling shall take place within 45 days of the actual distribution and marketing date.

1 5. Treatment facility permittees that distribute and market biosolids shall
 2 conduct additional representative sampling of either fecal coliform or *salmonella sp.* for
 3 biosolids that are not distributed and marketed or bagged for distribution and marketing
 4 within 45 days after being treated. The sampling and analysis shall be conducted within
 5 45 days prior to distributing and marketing the biosolids, and the biosolids shall meet a
 6 limit of 1000 MPN of fecal coliform per gram of total solids on a dry weight basis, or 3
 7 MPN of *salmonella sp.* per 4 grams of total solids on a dry weight basis in accordance
 8 with 40 CFR 503.32(a).

Current subsection 62-640.650(1)(d) is renumbered and revised to change “number of samples” to “sampling frequency.”

9 6.(d) Sampling locations, sampling frequency~~number of samples~~, and
 10 monitoring parameters shall be specified in the treatment facility's permit. All biosolids
 11 ~~residuals~~ samples shall be representative of the biosolids ~~residuals~~ used, land applied,
 12 or distributed and marketed, and shall be taken after final treatment of the biosolids
 13 ~~residuals~~ but before use, land application, or distribution and marketing.

Subsection 62-640.650(1)(e) is renumbered and revised to require a composite sample for nutrients.

14 7.(e) Grab samples shall be used to monitor ~~for~~ pathogens and determine
 15 ~~determinations of~~ percent volatile solids. Composite samples shall be used to monitor
 16 ~~for~~ metals and nutrients.

Subsection 62-640.650(1)(f) is renumbered and revised to move land application and distribution and marketing restrictions to more appropriate sections (i.e. .700 and .850).

17 8.(f) ~~Residuals shall not be land applied if a single sample result for any~~
 18 ~~parameter exceeds the ceiling concentrations specified in~~

1 ~~Rule 62-640.700(1), F.A.C. Residuals shall not be distributed and marketed under the~~
 2 ~~provisions of Rule 62-640.850, F.A.C. if the monthly average of sample results for any~~
 3 ~~parameter exceeds one or more of the parameter concentrations in Rule 62-~~
 4 ~~640.850(3)(a), F.A.C. Monthly averages of parameter concentrations shall be~~
 5 ~~determined by taking the arithmetic mean of all sample results for the month.~~

New subsection 62-640.650(3)(b) adds soil fertility testing and initial soil pollutant sampling for land application sites.

6 (b) Soil Monitoring.

7 1. The site permittee shall ensure soil fertility testing is conducted at least
 8 annually for each application zone at each permitted application site. Soil testing shall
 9 follow the procedures in the IFAS publications “Soil Testing”, UF/IFAS Circular 239,
 10 identified in Rule 62-640.210(1)(o), F.A.C., and “Extension Soil Testing Laboratory
 11 (ESTL) Analytical Procedure and Training Manual”, UF/IFAS Circular 1248, identified in
 12 Rule 62-640.210(p), F.A.C., which are hereby incorporated by reference. Results of soil
 13 fertility tests shall be included in the application site records.

14 2. Representative soil monitoring for parameters in Rule 62-640.700(5),
 15 F.A.C., shall be conducted at application sites for each application zone prior to
 16 application site permitting, except for sites only permitted for Class AA biosolids. At a
 17 minimum, one soil sample shall be taken for each application zone or for every fifty
 18 acres of application area, whichever is smaller. Each sample shall be a composite of at
 19 least ten random samples to a depth of 6 inches and shall be completely mixed to form
 20 a minimum one-pound sample. Sampling and analysis shall be in accordance with the

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1 EPA publication SW-846, “Test Methods for Evaluating Solid Waste, Physical/Chemical
 2 Methods”, as referenced in 40 CFR 503.8(4), which is hereby incorporated by
 3 reference. Results of initial soil monitoring shall be reported on the Biosolids
 4 Application Site Permit Form 62-640.210(2)(d).

5 ~~(g) — If soil testing is performed at a residuals land application site under~~
 6 ~~Rule 62-640.500(4)(a), F.A.C., such testing will be performed as specified in the~~
 7 ~~approved Agricultural Use Plan for the site.~~

New subsection 62-640.650(3)(c) adds ground water monitoring for permitted application sites under certain conditions.

8 (c) Ground Water Monitoring.

9 1. A ground water monitoring program shall be established by the site
 10 permittee, and approved by the Department for land application sites under the
 11 following circumstances:

12 a. The application rate in the NMP exceeds more than 400 lbs/acre/year of
 13 plant available nitrogen; or

14 b. The land application site is out-of-compliance with Department
 15 regulations. For purposes of this rule, out-of-compliance means a facility or application
 16 site has an active consent order or enforcement action pending associated with
 17 biosolids quality, application rates, storage, or application site requirements.

18 2. The ground water monitoring program shall be established in accordance
 19 with Rule 62-522.600, F.A.C.

1 3. Where biosolids are applied to a n application site with multiple application
 2 zones, one or more of the zones (representative of each zone’s hydrogeological
 3 characteristics, soil characteristics, vegetative cover, biosolids application method,
 4 characteristics of the biosolids to be applied, etc.) shall be selected by the site permittee
 5 and approved by the Department as the model zone(s) for monitoring of the ground
 6 water.

7 4. Ground water sampling parameters for monitoring background and
 8 receiving water quality shall be established based on the quality of biosolids to be land
 9 applied, application site specific soil and hydrogeologic characteristics, and other
 10 considerations, in accordance with Rule 62-522.600, F.A.C.

11 a. Each groundwater monitoring well shall be sampled for fecal coliform,
 12 nitrate, pH, total phosphorous, and the metals listed in Rule 62-640.650(3)(a)3., F.A.C.,
 13 quarterly.

14 b. Water levels shall be recorded before evacuating wells for sample
 15 collection. Elevation references shall include the top of the well casing and land surface
 16 at each well site (NGVD allowable) at a precision of plus or minus 0.1 foot.

New subsection 62-640.650(3)(d) adds surface water monitoring when the application site is within 1000 feet of waters of the state.

17 (d) Surface Water Monitoring

18 1. The site permittee shall ensure surface water monitoring for total
 19 phosphorus, total nitrogen, and fecal coliform bacteria is conducted for sites when an

1 application site is bordered or crossed by waters of the state and the application zone is
 2 located within 1000 feet of waters of the state, excluding wetlands.

3 2. If the receiving water is a stream or canal, the surface water monitoring
 4 shall be conducted on a quarterly basis at points 500 feet upstream and 500 feet
 5 downstream from where runoff from the application site enters state waters. If the
 6 receiving water is a lake, estuary, or coastal water, the surface water monitoring shall
 7 be conducted on a quarterly basis 500 feet downstream from where runoff enters the
 8 water body and at an approved background monitoring point.

Subsection 62-640.650(1)(h) is renumbered and revised to:

- refer to Rule 62-620.610(18), F.A.C., for consistency on requiring a certified lab; and,
- provide certain requirements for sample collection.

9 ~~(e)(h)~~ Any laboratory tests required by this chapter shall be performed by a
 10 laboratory certified in accordance with Rule 62-620.610(18)(d), F.A.C. by a laboratory
 11 certified by the Department of Health under Chapter 64E-1, F.A.C., to perform the test.
 12 Sample collection required by this chapter shall be performed in accordance with Rule
 13 62-620.610(18)(e), F.A.C. The Specific Oxygen Uptake Rate (SOUR) test, as required
 14 by 40 CFR 503.33(b)(4), shall be conducted within 15 minutes of sample collection and
 15 shall be performed by a certified laboratory or under the direction of an operator certified
 16 in accordance with Chapter 62-602, F.A.C.

17 ~~(4)(2)~~ Record Keeping Requirements.

New subsection 62-640.650(4)(a) clarifies that records shall be kept on all quantities of biosolids managed by a facility.

1 (a) Treatment facility permittees shall keep records of the quantities of
 2 biosolids generated, received from source facilities, treated, landfilled, incinerated,
 3 transferred to another facility, land applied, or distributed and marketed. These records
 4 shall be kept for a minimum of three years.

New subsection 62-640.650(4)(b) clarifies that all biosolids monitoring records shall be kept for at least five years.

5 (b) Treatment facility permittees shall keep records of all biosolids monitoring
 6 required by Rule 62-640.650(3)(a), F.A.C., for a minimum of five years.

New subsection 62-640.650(4)(c) requires Biosolids Application Site Annual Summaries to be maintained for three years.

7 (c) Treatment facility permittees shall retain the Biosolids Application Site
 8 Annual Summaries received in accordance with Rule 62-640.650(5)(e), F.A.C., for a
 9 minimum of three years.

New subsections 62-640.650(4)(d)-(i) require facilities and application sites to maintain hauling records.

10 (d) Treatment facility permittees that land apply biosolids and site permittees
 11 receiving biosolids shall maintain hauling records to track the transport of biosolids
 12 between the treatment facility and the application site. The hauling records for each
 13 party shall contain the following information:

<u>Treatment Facility Permittee</u>	<u>Site Permittee</u>
<u>1. Date and Time Shipped and</u>	<u>1. Date and Time Received and</u>
<u>Shipment ID</u>	<u>Shipment ID</u>
<u>2. Amount of Biosolids</u>	<u>2. Name and ID Number of Treatment</u>
<u>Shipped</u>	<u>Facility from which Biosolids are</u>

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1 The receipt shall include information required to be maintained by the site permittee in
 2 accordance with Rule 62-640.650(4)(d).

3 (h) The treatment facility shall maintain each receipt required by Rule 62-
 4 640.650(4)(g), F.A.C., for five years.

5 (i) The treatment facility permittee shall report to the appropriate District
 6 Office of the Department within 24 hours of discovery of any discrepancy in delivery of
 7 biosolids leaving the treatment facility and arriving at the permitted application site.

8 ~~Subsection 62-640.650(2)(a) is deleted since the application site will be tracking land application.~~

9 ~~_____ (a) Records of application zones and application rates must be maintained by~~
 10 ~~the permittee and must be available for inspection within seven days of request by the~~
 11 ~~Department, or the Delegated Local Program, except as provided in Rule 62-~~
 12 ~~640.650(2)(b), F.A.C. Information reported in the Annual Summary shall reflect the~~
 13 ~~application zones identified in the approved Agricultural Use Plan.~~

14 ~~_____ The permittee must maintain the records in Rule 62-640.650(4)(d)(2)(a)1. through~~
 15 ~~5., F.A.C., in perpetuity, and maintain the records in Rule 62-640.650(4)(d)(2)(a)6. and~~
 16 ~~7. through 11., F.A.C., for five years:~~

17 ~~_____ 1. Date of application of the residuals;~~

18 ~~_____ 2. Location of the application site as specified on Form 62-640.210(2)(a);~~

19 ~~_____ 3. Identification of each application zone used by the permittee at the~~
 20 ~~application site and the acreage of each zone;~~

21 ~~_____ 4. Amount of residuals applied or delivered to each application zone;~~

~~_____ 5. Cumulative loading for each application zone, in accordance with~~

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1 Rule ~~62-640.700(3)~~, F.A.C.;

2 ~~6. The names of all other wastewater facilities using each of the application~~
 3 ~~zones identified in Rule 62-640.650(2)(a)3., F.A.C.;~~

4 ~~7. Method of incorporation of residuals (if any);~~

5 ~~8. Measured pH of the residuals soil mixture at the time the residuals are~~
 6 ~~applied, tested at least annually as required by Rule 62-640.700(5), F.A.C.;~~

7 ~~9. Unsaturated depth of soil above the water table level at the time of~~
 8 ~~application, as determined in accordance with Rule 62-640.700(6)(a), F.A.C.;~~

9 ~~10. Concentration of parameters in the residuals as required by Rule 62-~~
 10 ~~640.650(1)(b), F.A.C., and date of last analysis; and~~

11 ~~11. The results of any soil testing that is done under Rule 62-640.500(4)(a),~~
 12 ~~F.A.C.~~

New subsection 62-640.650(4)(j) requires the application site records to be maintained by the site permittee.

13 (j) Logs and records detailing biosolids applications to each application zone
 14 at an application site shall be maintained by the site permittee indefinitely and shall be
 15 available for inspection within seven days of request by the Department or the
 16 Delegated Local Program. At a minimum, the logs and records for the most recent six
 17 months of application shall be available for inspection at the land application site. The
 18 logs and records shall include:

19 1. A copy of the approved NMP;

1 2. The cumulative loading for each zone in accordance with Rule 62-
 2 640.700(7), F.A.C.;

3 3. For each application zone, maintain Biosolids Site Log, Form 62-
 4 640.210(2)(e), F.A.C.; and

5 4. The results of all soil monitoring, ground water monitoring, and surface
 6 water monitoring conducted in accordance with Rules 62-640.650(3)(b) through (d),
 7 F.A.C.

8 ~~(b) Distribution and marketing of Class AA residuals is exempt from the~~
 9 ~~record keeping requirements of this subsection.~~

10 ~~(5)(3) Reporting Requirements.~~

Current subsection 62-640.650(3)(a) is renumbered and revised to require facilities to report quantities and monitoring results on the DMR.

11 (a) Treatment facility permittees shall report the following information on the
 12 facility's monthly Discharge Monitoring Report required by Rule 62-620.610(18), F.A.C.,

13 1. The total quantities of biosolids received from source facilities, landfilled,
 14 incinerated, transferred to another facility, land applied, or distributed and marketed for
 15 the reporting period.

16 ~~2.(a) The results of all monitoring conducted by permitted facilities under Rule~~
 17 ~~62-640.650(3)(a)3.(1), F.A.C., shall be submitted to the Department with the facility's~~
 18 ~~Discharge Monitoring Report under Chapter 62-601, F.A.C., or Residuals Monitoring~~
 19 ~~Report under Rule 62-640.650(3)(d), F.A.C., as applicable. The analytical results from~~

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1 | ~~each sampling event shall be submitted with the report for the month in which the~~
 2 | ~~sampling event occurs.~~

3 | 3. For facilities distributing and marketing biosolids in Florida, the information
 4 | required in Rule 62-640.850(4), F.A.C.

New subsection 62-640.650(5)(b) requires out-of-state facilities sending biosolids for distribution and marketing to report on a DMR.

5 | (b) Distribution and Marketing Reporting. Any person who delivers biosolids
 6 | to Florida for distribution and marketing shall submit a monthly Discharge Monitoring
 7 | Report that includes the information required in Rule 62-640.850(4), F.A.C., on the
 8 | appropriate form provided by the Department.

Current subsection 62-640.650(3)(b) is renumbered and revised to alter the annual reporting requirements by treatment facilities (land application data will be submitted by the application site).

9 | (c)(b) Treatment Facility Annual Summary. The Permittees of wastewater
 10 | treatment facilities or biosolids treatment facilities permitted for land application using an
 11 | application site (or sites) shall submit a summary of the shipment records required by
 12 | Rules 62-640.650(4)(d) and 62-640.880(4), F.A.C., as applicable, residuals application
 13 | activity at the sites to the appropriate District Office of the Department, or to the
 14 | delegated local program Local Program, on an annual basis. The summary must be
 15 | submitted on Department Form 62-640.210(2)(b). If more than one facility applies
 16 | residuals to the same application zones, the summary must include a subtotal of each
 17 | facility's contribution of residuals to the application zones. The summary shall include
 18 | all biosolids shipped residuals applied during the period January 1 through December

1 31. The summary for each year shall be submitted to the Department by February 19 of
2 the following year. ~~The summary must include all of the following:~~

3 1. ~~The total amounts of residuals, nitrogen, phosphorus, potassium and~~
4 ~~heavy metals applied to each application zone.~~

5 2. ~~The total quantity of other solids, if any, applied to each application zone~~
6 ~~under the provisions of Rule 62-640.860, F.A.C.~~

7 3. ~~The total cumulative loading for the parameters specified in Rule 62-~~
8 ~~640.700(3)(b), F.A.C., applied to each application zone. Cumulative loading shall be~~
9 ~~determined as described in Rule 62-640.700(3), F.A.C., and shall be calculated for all~~
10 ~~residuals applications at a site beginning with the earlier of:~~

11 a. ~~the date of the first application of residuals at the site subject to regulation~~
12 ~~by Chapter 62-640, F.A.C., or;~~

13 b. ~~the date of the first application of residuals at the site subject to regulation~~
14 ~~by Title 40 Code of Federal Regulations Part 503.~~

15 4. ~~A summary of hauling records information for residuals management~~
16 ~~facilities, as described in Rule 62-640.880, F.A.C.~~

17 New subsections 62-640.650(5)(d) and (e) establish annual reporting requirements for application sites.

18 (d) Biosolids Application Site Annual Summary. The site permittee shall
19 submit a summary of land application activity to the appropriate District Office of the
20 Department, or to the delegated local program, on an annual basis. The summary shall
21 be submitted on Department Form 62-640.210(2)(c). The summary for each year,
covering the period from January 1 through December 31, shall be submitted to the

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1 Department by February 19 of the following year. The summary shall include all of the
2 following, as applicable:

3 1. The total quantities of biosolids, other solids, nitrogen, phosphorus,
4 potassium, and heavy metals applied to each application zone identified in the site's
5 NMP. Reporting of heavy metals applied is not required for sites where only Class AA
6 biosolids are applied.

7 2. Except for sites where only Class AA biosolids are applied, the total
8 cumulative loading for the parameters specified in Rule 62-640.700(7)(b), F.A.C.,
9 applied to each application zone identified in the site's NMP. Cumulative loading shall
10 be determined as described in Rule 62-640.700(7), F.A.C., and shall be calculated for
11 all biosolids applications at a site beginning with the earlier of:

12 a. The date of the first application of biosolids at the site subject to regulation
13 by Chapter 62-640, F.A.C.; or

14 b. The date of the first application of biosolids at the application site subject
15 to regulation by 40 CFR 503.

16 3. A summary of the total quantities of biosolids applied by each treatment
17 facility using the application site.

18 4. The results of ground water monitoring as required by Rule 62-
19 640.650(3)(c), F.A.C.

20 5. The results of surface water monitoring as required by Rule 62-
21 640.650(3)(d), F.A.C.

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1 6. A copy of any revised sections of the NMP made in accordance with Rule
 2 62-640.500, F.A.C.

3 (e) The site permittee shall send copies of the Biosolids Application Site
 4 Annual Summary required by Rule 62-640.650(5)(d), F.A.C., to each treatment facility
 5 permittee from which biosolids have been received at the time the Biosolids Application
 6 Site Annual Summary is submitted to the Department.

Subsection 62-640.650(3)(c) is deleted as the relevant information will be submitted in a DMR .

7 ~~_____ (c) Distribution and Marketing Reports. Any facility which produces Class AA~~
 8 ~~residuals in Florida and any person who delivers Class AA residuals to Florida must~~
 9 ~~submit a Monthly Residuals Distribution and Marketing Report to the Department in~~
 10 ~~accordance with Rule 62-640.850(4), F.A.C.~~

Subsection 62-640.650(3)(d) is deleted as the information will be reported on the DMR.

11 ~~_____ (d) Residuals Monitoring Reports. Residuals management facility and~~
 12 ~~septage management facility permittees who are not required to submit a Discharge~~
 13 ~~Monitoring Report shall report the results of monitoring performed under Rule 62-~~
 14 ~~640.650(1), F.A.C., to the Department in a Residuals Monitoring Report on Department~~
 15 ~~Form 62-640.210(2)(d). For residuals management facilities, the report shall include a~~
 16 ~~summary of all hauling records information that is maintained under Rule 62-640.880(4),~~
 17 ~~F.A.C., for the period of report. The report shall be due on the 28th day of the month~~
 18 ~~that follows the month in which the monitoring was performed.~~

Subsection 62-640.650(3)(e) is deleted as this is not needed.

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1 ~~_____ (e) _____ Copies of analytical laboratory reports must be submitted with all~~
 2 ~~monitoring results that are reported to the Department.~~

3 ~~(6)(4)~~ Notification Requirements. Notifications required by
 4 Rules 62-640.650~~(6)(4)(a) through (i), (b) and (c)~~, F.A.C., shall be provided orally to the
 5 appropriate District Office of the Department. A written submittal shall also be provided
 6 to the District Office within seven calendar days of the time when a person subject to
 7 this chapter ~~the permittee~~ becomes aware of the circumstances. The written submittal
 8 must include the time and date of the oral notification, and the name of the person to
 9 whom the oral notification was made.

10 (a) If an alternate application site is used under the provisions of Rule 62-
 11 640.300(3), F.A.C., the treatment facility permittee using the alternate site must notify
 12 the Department within 24 hours ~~before~~ beginning biosolids residuals application at the
 13 alternate site.

New subsection 62-640.650(6)(b) adds the requirement for the facility permittee to provide a copy of the agreement with the biosolids treatment facility with the facility's permit application.

14 ~~(b) _____ If transferring biosolids, the permittee shall submit a copy of the written~~
 15 ~~agreement with the biosolids treatment facility required by Rule 62-640.880(1)(c),~~
 16 ~~F.A.C., shall be submitted with the source facility's permit application.~~

17 ~~(c)(b)~~ Surface or ground water quality violations that are discovered as a result
 18 of testing required by Rule 62-640.650(3)(c) or (d) ~~as described in Rule 62-~~
 19 ~~640.700(2)(b)~~, F.A.C., shall be reported to the Department within 24 hours of discovery.

1 ~~(d)(e)~~ Any discrepancy that occurs in the inventory of biosolids residuals leaving
 2 a source wastewater treatment facility and arriving at a biosolids treatment residuals
 3 management facility must be reported to the Department and to the source facility by
 4 the biosolids treatment residuals management facility permittee within 24 hours of
 5 discovery under Rule 62-640.880(4)(c), F.A.C.

6 ~~(e)(d)~~ Any person intending to import Class AA biosolids residuals from outside
 7 the state for distribution and marketing or land application must notify the Department's
 8 Domestic Wastewater Section in Tallahassee, in writing, at least 30 days before
 9 beginning importation, in accordance with Rule 62-640.850(6), F.A.C.

10 ~~(f)(e)~~ Biosolids treatment Residuals management facility permittees must notify
 11 the Department and all affected parties in writing at least 60 days before ceasing
 12 operation, in accordance with Rule 62-640.880(2)(j), F.A.C.

New subsection 62-640.650(6)(g) requires the application site to notify the Department and affected parties if it will be shutting down.

13 (g) Site permittees shall notify the Department and all affected parties in
 14 writing at least 60 days before voluntarily ceasing operation of a permitted biosolids land
 15 application site.

New subsection 62-640.650(6)(h) requires facilities to notify the Department and application site(s) when it discovers that it sent biosolids not meeting regulations to the application site(s).

16 (h) Treatment facility permittees shall notify the Department and all affected
 17 site permittees within 24 hours of discovery of sending biosolids that did not meet the
 18 requirements of Rule 62-640.600, F.A.C., or Rule 62-640.700(5), F.A.C., to a land
 19 application site.

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New subsection 62-640.650(6)(i) requires distributors of Class AA to notify the Department and affected parties if they find their biosolids did not meet regulations.

1 (i) Treatment facility permittees and those persons who deliver Class AA
2 biosolids for distribution and marketing in Florida shall notify the Department and all
3 affected parties within 24 hours of discovery of distributing and marketing biosolids that
4 did not meet the requirements of Rules 62-640.600(1)(a) and (2), F.A.C., or Rules 62-
5 640.700(5)(a) and (b), F.A.C.

New subsection 62-640.650(6)(j) requires site permittees to notify the land owners or the owners of animals grazing on a site about the potential for molybdenosis to occur if the cumulative Mo loading exceeds 35.7 lbs per acre.

6 (j) Permittees of sites where Class A or Class B biosolids are applied shall
7 notify any affected land owners or owners of animals that graze on the permitted site
8 within thirty days of determining that the cumulative loading of molybdenum to the site
9 has reached or exceeded 35.7 lbs per acre. Owners of cattle or dairy cows should be
10 specifically warned about the potential for molybdenosis to occur.

11 Specific Authority 403.051, 403.061, 403.062, 403.087, 403.088, 403.704, 403.707,
12 F.S.

13 Law Implemented 403.021, 403.051, 403.061, 403.087, 403.088, 403.0881, 403.702,
14 403.704, 403.707, 403.708, F.S.

15 History - New 3-30-98, Amended _____.

16

Title altered for clarification.

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1 **62-640.700 Criteria for Land Application of Class AA, A and B**

2 **Biosolids Residuals.**

3 New subsection 62-640.700(1) limits land application of biosolids to permitted application sites.

4 (1) Except as provided in Rule 62-640.100(5)(h), F.A.C., biosolids shall only
 5 be applied to land application sites that are permitted by the Department in accordance
 6 with Rule 62-640.300, F.A.C., and have a valid NMP.

7 New subsection 62-640.700(2) requires proper treatment of biosolids prior to land application.

8 (2) All biosolids applied to land application sites shall meet the requirements
 9 of Class AA, Class A, or Class B biosolids as defined in Rules 62-640.200(9), (10), and
 10 (11), F.A.C.

11 New subsection 62-640.700(3) requires application rates to be in accordance with the NMP and places a
 12 precautionary limit of six dry tons per acre for land application based on reasonable expectations of
 13 nutrient characteristics and number of loads.

14 (3) Biosolids applied at agricultural sites shall be applied at rates established
 15 in accordance with the NMP. Biosolids loadings shall not exceed six dry tons per acre
 16 per year.

17 New Subsection 62-640.700(4) allows reclamation sites to apply at higher than agronomic rates but in
 18 accordance with the Biosolids Application Site Permit Form.

19 (4) Biosolids applied at land reclamation sites shall be applied in accordance
 20 with the Rule 62-640.800, F.A.C., and the Biosolids Application Site Permit Form 62-
 21 640.210(2)(d).

22 Current subsection 62-640.700(1) is renumbered and modified for to include the Class AA limits and
 23 blending provisions transferred from subsection 62-640.850.

24 (5) Parameter Concentrations.

25 (a) Biosolids (1) General Criteria. Residuals may be applied to a land
 26 application site only if all parameter concentrations of all the parameters listed in Rule

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62-640.650(1)(b), F.A.C., do not exceed the following ceiling concentrations in any sample, and the ~~biosolids residuals~~ meet the pathogen and vector attraction reduction requirements set forth in Rule 62-640.600, F.A.C., for the intended site use.

CEILING CONCENTRATIONS

(mg/kg dry weight basis)

Parameter	Single Sample Concentration
Arsenic	75
Cadmium	85
Copper	4300
Lead	840
Mercury	57
Molybdenum	75
Nickel	420
Selenium	100
Zinc	7500

(b) In addition to meeting the single sample requirements of Rule 62-640.700(5)(a), Class A biosolids may be classified and applied as Class AA biosolids if the monthly average parameter concentrations do not exceed the following criteria:

CLASS AA PARAMETER CONCENTRATIONS

(mg/kg dry weight basis)

1	Parameter	Monthly Average Concentration
2	Arsenic	41
3	Cadmium	39
4	Copper	1500
5	Lead	300
6	Mercury	17
7	Nickel	420
8	Selenium	100
9	Zinc	2800

10 (c) If the biosolids must be blended with other materials to meet the Class AA
 11 criteria of Rule 62-640.700(5)(b), F.A.C., the blending shall be conducted by a
 12 Department permitted domestic wastewater treatment facility or biosolids treatment
 13 facility before the biosolids are distributed or marketed. The blending methodology shall
 14 be specified in the facility's permit.

15 (6)(2) General Application Site Requirements

Subsection 62-640.700(2)(a) is removed since the latter portion of .700 will now contain the application site restrictions.

16 (a) Site use restrictions including setback distances, crop harvesting, grazing,
 17 and public access shall conform to the requirements of Rule 62-640.600, F.A.C., for the
 18 class of pathogen reduction provided.

Subsection 62-640.700(2)(b) is deleted as various parts have been relocated to more appropriate sections in the rule.

1 ~~(b) Florida water quality standards shall not be violated in waters as a result~~
 2 ~~of land application of residuals. Monitoring of surface and ground waters shall be~~
 3 ~~required if the Department determines that, because of the physical and~~
 4 ~~hydrogeological characteristics of the site, monitoring is necessary to protect the~~
 5 ~~designated uses of water bodies. If violations occur, land application of residuals shall~~
 6 ~~be suspended immediately, and the violations shall be reported to the Department~~
 7 ~~within twenty-four hours of discovery.~~

8 ~~(a) Biosolids~~ ~~(c) Residuals~~ shall be applied with appropriate techniques and
 9 equipment to assure uniform application over the application zone.

New subsection 62-640.700(6)(b) requires injection or incorporation of biosolids under certain circumstances.

10 (b) Beginning within one year of (the effective date of the rule), biosolids
 11 treated using alkaline addition shall be applied by the best management practice of
 12 incorporation or injection unless the application zone is located at a distance greater
 13 than one-quarter mile from the application site property line. This distance may be
 14 decreased if the affected adjacent property owner provides written consent. Biosolids
 15 treated using alkaline addition shall be land applied within a 24-hour period after leaving
 16 the treatment facility at which the biosolids were treated.

Current subsection 62-640.700(6)(d) is renumbered and modified to prohibit the use of spray guns unless they are addressed in the wastewater or site permit.

17 ~~(c)(d)~~ The spraying of liquid domestic wastewater biosolids from an application
 18 vehicle residuals shall be conducted so that the formation of aerosols is minimized.

1 Unless specifically stated in the wastewater permit or site permit, spray guns shall not
 2 be used.

New subsection 62-640.700(6)(d) prohibits staging, stockpiling, etc., for more than seven days unless specific written approval is obtained from the Department. Site storage requirements are clarified.

3 (d) Biosolids shall not be stored, stockpiled, or staged at a land application
 4 site for more than seven days unless approved by the Department.

5 1. All biosolids storage, stockpiling, or staging at land application sites shall:

6 a. Meet the applicable setback requirements for biosolids application sites in
 7 Rule 62-640.700(8), F.A.C.;

8 b. Not cause runoff of biosolids, objectionable odors, or vector attraction;

9 c. Include fencing or other appropriate features to discourage the entry of
 10 animals and unauthorized persons; and

11 d. Follow best management practices and guidance in EPA's manual Guide
 12 to Field Storage of Biosolids, Rule 62-640.210(1)(k), F.A.C.

13 2. The Department shall approve storage periods for longer than seven days
 14 if the following conditions are met

15 a. The storage facilities are designed and constructed in accordance with
 16 Chapter 5, Part III, of the EPA manual Guide to Field Storage of Biosolids, Rule 62-
 17 640.210(1)(k), F.A.C. which is hereby incorporated by reference;

18 b. All of the biosolids stored at the application site, up to the capacity of the
 19 on-site storage facilities, can be land applied without resulting in an exceedance of
 20 cumulative loading limits or the application rates established in the NMP;

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1 c. The storage facilities are adequate for the rate of biosolids generated by
2 permitted treatment facilities sending biosolids to the application site;

3 d. A longer storage period is needed because of agricultural operations or
4 climatic factors at the application site; and

5 e. In no case shall storage exceed two years.

6 ~~(e) Residuals storage facilities at land application sites shall be subject to~~
7 ~~applicable setback requirements for residuals application sites in this section.~~

8 ~~Residuals shall be stored in a manner that will not cause runoff or seepage from stored~~
9 ~~residuals, objectionable odors, or vector attraction. Storage areas must be fenced or~~

10 ~~otherwise provided with appropriate features to discourage the entry of animals and~~
11 ~~unauthorized persons. At the time of land application, the stored residuals must meet~~

12 ~~the general criteria of Rule 62-640.700(1), F.A.C., for parameter concentrations,~~

13 ~~pathogen and vector attraction reduction, and the cumulative application limits of Rule~~

14 ~~62-640.700(3), F.A.C. Residuals storage facilities at land application sites may be used~~

15 ~~only for temporary storage of stabilized residuals for no more than 30 days during~~

16 ~~periods of inclement weather or to accommodate agricultural operations, unless a~~

17 ~~longer storage period is specified in the approved agricultural use plan for the site. The~~

18 ~~Department shall approve a longer storage period, not to exceed two years, if the~~

19 ~~agricultural use plan demonstrates that:~~

20 ~~1. The storage facilities at the site are adequate for the rates of residuals~~
21 ~~generation by permitted wastewater facilities sending residuals to the site;~~

1 2. ~~all of the residuals stored at the site, up to the capacity of the on-site~~
 2 ~~storage facilities, can be land applied without resulting in an exceedence of cumulative~~
 3 ~~loading limits or agronomic rates; and~~

4 3. ~~a longer storage period is needed because of agricultural operations or~~
 5 ~~climatic factors at the site.~~

Current subsection 62-640.700(2)(f) is renumbered and revised:

- to require the signage at a application site be bilingual;
- to specify minimum letter size and content of sign; and,
- require placement of signs at specific intervals.

6 (e) Class B biosolids ~~(f) Residuals~~ application sites shall be posted with
 7 appropriate advisory signs in English and Spanish which identify ~~identifying~~ the nature
 8 of the project area and comply with the following requirements:-

9 1. Signs shall be posted at all entrances to land application sites in such a
 10 position as to be clearly noticeable. The words “Class B Biosolids Site” (in Spanish
 11 “Sitio con Biosólidos”), “Public Access Prohibited” (in Spanish “Prohibido el Acceso al
 12 Público”), and the name and contact information of the site manager shall appear
 13 prominently on the signs.

14 2. For unfenced application sites, additional signs shall be posted at the
 15 corners and at a maximum of 500 ft intervals along the boundaries of the application
 16 site and in such a position as to be clearly noticeable from outside the boundary line of
 17 the application site. The words “Public Access Prohibited” (in Spanish “Prohibido el
 18 Acceso al Público”) shall appear prominently on the signs.

1	Lead	268
2	Mercury	15.2
3	<u>Molybdenum</u>	<u>report only</u>
4	Nickel	375
5	Selenium	89.3
6	Zinc	2500

9 ~~(c)~~ Except as provided in Rule ~~62-640.700(3)(d)~~, F.A.C., application zones
10 which only receive residuals that meet the parameter concentration limits in Rule ~~62-~~
11 ~~640.850(3)(a)~~, F.A.C., are not subject to the cumulative application limits in Rule ~~62-~~
12 ~~640.700(3)(b)~~, F.A.C. ~~(d)~~ Beginning with the first application of residuals that do not
13 meet the parameter concentration limits in Rule ~~62-640.850(3)~~, F.A.C., to an application
14 zone, the zone shall be subject to the cumulative application limits in Rule ~~62-~~
15 ~~640.700(3)(b)~~, F.A.C., and all applications of residuals, except Class AA, shall be used
16 to determine the cumulative loading of parameters applied to the zone.

17 ~~(c)~~(e) If one or more zone(s) at an application site changes ownership or
18 becomes part of a different application site, the cumulative loading determination for the
19 affected zone(s) shall account for the prior applications of biosolids residuals.

Current subsection 62-640.700(3)(f) is renumbered and revised to clarify that soil tests or other methods may be used to establish a current cumulative loading.

1 ~~(d)(f)~~ If biosolids residuals that are subject to the cumulative loading limitations
 2 of Rule 62-640.700(6)(3), F.A.C., have been applied to an application zone, and the
 3 cumulative loading amount of one or more pollutants is not known, no further
 4 applications of biosolids residuals may be made to that application zone. Soil testing
 5 conducted in accordance with Rule 62-640.650(3)(b)2., F.A.C., or alternate methods
 6 may be used to establish cumulative loadings to allow the continued use of the
 7 application site.

Current subsection 62-640.700(4) is renumbered and revised by deleting language to account for the new application site permitting provision.

8 ~~(8)(4)~~ Setback Distances. ~~The setback distances in this section shall apply to all~~
 9 ~~new or expanded land application sites used by facilities for which the Department~~
 10 ~~received complete wastewater permit applications after December 1, 1997, but the~~
 11 ~~setback distances shall only apply to the new or expanded portion(s) of the land~~
 12 ~~application sites. The permittee of a facility using an existing land application site may~~
 13 ~~request, during permit renewal, that the setback distance requirements in this rule be~~
 14 ~~applied to the existing site or portion of the site. The Department shall grant such~~
 15 ~~requests provided no violations of water quality standards have occurred as a result of~~
 16 ~~residuals application to the site.~~

17 ~~(a)~~ The following setback distances specified in Rule 62-640.700(4)(a)
 18 through (c), F.A.C., shall apply to land application sites that accept either Class A or
 19 Class B biosolids residuals. ~~The setback distances specified in Rule~~
 20 ~~62-640.700(4)(d), F.A.C., shall only apply to land application sites that accept Class B~~

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1 residuals.

2 ~~1.(a)~~ The biosolids residuals land application zone shall not be located closer
 3 than 1000 feet to any Class I water body, Outstanding Florida Water or Outstanding
 4 National Resource Water, or 200 feet from any other surface water of the state as
 5 defined in Sections 403.031, F.S. This setback does not apply to waters owned
 6 entirely by one person other than the state, nor to canals or bodies of water used for
 7 irrigation or drainage, which are located completely within the application site and will
 8 not discharge from the application site. The setback area shall be vegetated. The 200
 9 foot setback distance from surface waters may be reduced to 100 feet if ~~one of the~~
 10 following conditions is met:

11 ~~1.~~ The biosolids residuals are injected or incorporated into the soil; or

Subsection 62-640.700(4)(a)2 is deleted, removing the conservation plan provision for reducing the surface water setback.

12 ~~2.~~ A conservation plan is provided with the Agricultural Use Plan which
 13 demonstrates that stormwater runoff generated by the 10-year recurrence interval, 1-
 14 hour duration storm event will be prevented from entering or leaving the land application
 15 zone. Berms shall be placed around the site for the purpose of preventing stormwater
 16 runoff if necessary. Recovery time of the system should be specified in the
 17 conservation plan with a maximum stormwater retention time of 72 hours as required by
 18 Rule 62-25.025(4), F.A.C. Back slope protection as well as other safety features shall
 19 be included.

20 ~~2.(b)~~ The biosolids residuals land application zone shall not be located closer

1 | than 300 feet from any private ~~drinking potable~~-water supply well or 500 feet from any
 2 | public ~~drinking potable~~-water supply well.

3 | 3.(e) The land application zone and an area 200 feet wide adjacent to the
 4 | application zone shall contain no visible evidence of subsurface fractures, solution
 5 | cavities, sink holes, excavation core holes, abandoned wells or any other natural or
 6 | man-made conduits that could allow direct contamination of ground water.

New subsection 62-640.700(8)(a)4 requires a 1320 foot setback from stored, stockpiled, or staged biosolids.

7 | 4. Biosolids shall not be stored, stockpiled, or staged at a land application
 8 | site within 1320 feet of a building occupied by the general public. This distance may be
 9 | decreased if the owner of the building provides written consent.

New subsection 62-640.700(8)(b) addresses the application site restrictions for Class B biosolids including those from the old subsection 62-640.600.

10 | (b) The following additional setback distances shall apply to land application
 11 | sites that accept Class B biosolids.

Current subsection 62-640.700(4)(d) is renumbered and revised to increase the Class B setback to a building occupied by the public to 500 feet unless there is permission from the owner.

12 | 1.(d) Class B ~~biosolids residuals~~ shall not be applied within 500 ~~300~~-feet of a
 13 | building occupied by the general public. This distance may be reduced to 100 feet if
 14 | ~~biosolids residuals~~ are injected into the soil or if written permission is obtained from the
 15 | building owner.

New subsection 62-640.700(8)(b)2 adds a 75 foot setback to property lines for land application of Class B biosolids.

16 | 2. Class B biosolids shall not be applied within 75 feet from property lines.

1 ~~(9)~~ ~~(5)~~ ~~Soil Requirements.~~ The pH of the biosolids residuals-soil mixture
 2 shall be 5.0 or greater at the time Class A or Class B biosolids residuals are applied. At
 3 a minimum, soil pH testing shall be done annually as required by Rule 62-
 4 640.650(3)(b)1., F.A.C.

Current subsection 62-640.700(6) is renumbered and revised to require a monitoring well or piezometer for monitoring ground water levels.

5 ~~(10)~~ ~~(6)~~ ~~Ground Water Requirements.~~ A minimum unsaturated soil depth of
 6 two feet is required between the depth of biosolids placement and above the water table
 7 level is required at the time the Class A or Class B biosolids residuals are applied to the
 8 soil. The seasonal high ground water level for the application site may be indicated in
 9 the Biosolids Application Site Permit Form, Form 62-640.210(2)(d), Agricultural Use
 10 Plan by use of soil survey maps. If the seasonal high ground water level is within two
 11 feet of the depth of biosolids placement or cannot be determined at the time of
 12 permitting, surface or can not be determined using soil survey maps, the water table
 13 level shall be determined in one or more representative location(s) in the application
 14 zone before each application of biosolids residuals, by observing the standing water
 15 level in a three-foot-deep hole dug at least one hour before application, or by other
 16 means, e.g., measuring the water level in a water-table monitoring well or a piezometer.

Subsection 62-640.700(6)(b) is deleted since it is redundant to 62-640.700(8)(a)3.

17 ~~(b)~~ ~~The minimum setback requirement of Rule 62-640.700(4)(c), F.A.C., shall~~
 18 ~~be provided between land application areas and any visible evidence of natural or man-~~
 19 ~~made conduits that could allow direct contamination of ground water.~~

20 ~~(11)~~~~(7)~~ Runoff Prevention Requirements.

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Current subsection 62-640.700(7)(a) is renumbered and revised to prohibit application during any rainfall event or when there is ponding.

1 (a) ~~Biosolids Residuals~~ shall not be applied at an application zone during rain
 2 events, when ponding exists, during rains that cause runoff from the site or when
 3 surface soils are saturated.

Current subsection 62-640.700(7)(b) is renumbered and revises the slope requirements for land application.

4 (b) Topographic grades of the land application zone must be eight percent or
 5 less. If application site slopes exceed three ~~two~~ percent in one or more application
 6 zones, biosolids shall be injected or incorporated or, a conservation plan must be
 7 provided with the Nutrient Management Plan. The conservation plan shall demonstrate
 8 ~~Agricultural Use Plan which demonstrates~~ that suitable soil infiltration rates and
 9 stormwater control measures exist at the application site to retain runoff generated by a
 10 10-year recurrence interval 1 hour duration storm event. Berms shall be placed for this
 11 purpose if necessary.

New subsection 62-640.700(11)(c) prohibits land application on “frequently flooded” land in accordance with NRCS standards.

12 (c) Biosolids shall not be land applied on application sites that are frequently
 13 flooded in accordance with the USDA-NRCS-FL manual, “Field Office Technical Guide
 14 – Waste Utilization, Code 633 guidelines”, Rule 62-640.210(1)(n), F.A.C., which is
 15 hereby incorporated by reference. The NRCS defines “frequently flooded” in Section
 16 618.27 of the National Soil Survey Handbook.

The application site restrictions from Subsection 62-640.600 are moved here with some modifications.

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1 (12) Additional Application Site Restrictions for Class B Biosolids. The
2 following restrictions shall apply to the use of Class B biosolids:

3 Current subsection .600(3)(b) is renumbered and revised for clarification.

3 (a) Class B biosolids shall only be applied to restricted public access areas.

4 The public shall be restricted from the application zone for 12 months after the last
5 application of biosolids.

6 (b) Plant nursery use of Class B biosolids is prohibited.

7 (c) Use of Class B biosolids on roadway shoulders and medians is limited to
8 restricted public access roads.

9 (d) Food crops, feed crops, and fiber crops shall not be harvested for 30 days
10 following the last application of Class B biosolids.

11 (e) Food crops with harvested parts that touch the biosolids/soil mixture and
12 are totally above the land surface shall not be harvested for 14 months after the last
13 application of Class B biosolids.

14 (f) Food crops with harvested parts below the surface of the land shall not be
15 harvested for 20 months after application of Class B biosolids when the biosolids remain
16 on the land surface for four months or longer before incorporation into the soil.

17 (g) Food crops with harvested parts below the surface of the land shall not be
18 harvested for 38 months after application of Class B biosolids when the biosolids remain
19 on the land surface for less than four months before incorporation into the soil

Current subsection 62-640.600(3)(b)7. is renumbered and revised to require reporting of any animals grazed within 30 days of land application to DOACS.

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1 (h) Animals shall not be grazed on land on which Class B biosolids have been
 2 applied for 30 days after the last application of Class B biosolids. Animals found
 3 grazing prior to the end of the 30-day restriction shall be reported by the site manager to
 4 the Florida Department of Agriculture and Consumer Services (FDOACS) within two
 5 weeks of the time the animal is grazed or prior to the sale of the animal or product
 6 derived from the animals or the transfer of the animal off the property.

7 (i) Sod which will be distributed or sold to the public or used on unrestricted
 8 public access areas shall not be harvested from land on which Class B biosolids have
 9 been applied for 12 months after the last application of Class B biosolids.

New subsection 62-640.700(12)(j) requires disclosure, from the current owner to the new owner, of the application site restrictions still applicable to the application site.

10 (j) If ownership of a land application site changes prior to the expiration of a
 11 time period restriction established by Rule 62-640.700(12), F.A.C., the existing owner
 12 shall disclose to the prospective owner the existence of the restriction(s) prior to
 13 transferring ownership.

14 Specific Authority 373.4595, 403.051, 403.061, 403.062, 403.087, 403.088, 403.704,
 15 403.707, F.S. Law Implemented 373.4595, 403.021, 403.051, 403.061, 403.087,
 16 403.088, 403.0881, 403.702, 403.704, 403.707, 403.708, F.S.
 17 History - New 8-12-90, Formerly 17-640.700, Amended 3-30-98, Amended _____.

18

Subsection 62-640.750 has been deleted with its relevant portions placed into other sections of the rule.

19 **62-640.750 Agricultural Sites. (Repealed)**

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1 ~~_____ (1) _____ Residuals which meet the pathogen and vector attraction reduction~~
 2 ~~requirements set forth in Rules 62-640.600(1) and (2), F.A.C., may be applied to~~
 3 ~~agricultural sites in accordance with the site use restrictions of Rule 62-640.600(3),~~
 4 ~~F.A.C., the criteria for land application of Rule 62-640.700, F.A.C., and the requirements~~
 5 ~~of this section.~~

6 ~~_____ (2) _____ Residuals application rates are limited to agronomic rates based on the~~
 7 ~~site vegetation as identified in the Agricultural Use Plan. The application rates for~~
 8 ~~residuals shall be determined using the following steps:~~

9 ~~_____ (a) _____ The total amount of nitrogen required by the crop(s) being grown shall be~~
 10 ~~estimated using the values for nitrogen demand listed in the table below. Alternative~~
 11 ~~values for nitrogen demand of these crops or for crops not listed shall be allowed based~~
 12 ~~on site specific agricultural information or if recommended by the Natural Resources~~
 13 ~~Conservation Service or the University of Florida Institute of Food and Agricultural~~
 14 ~~Sciences (IFAS). The basis for the alternative values shall be included with the~~
 15 ~~Agricultural Use Plan. If more than one crop is grown at the same time on an~~
 16 ~~application zone, the weighted average of the nitrogen demands shall be used to~~
 17 ~~estimate the total amount of nitrogen required.~~

18 ~~Total Estimated Crop Nitrogen Demand in Pounds Per Acre~~

19 ~~Per Crop or Per Active Growing Season~~

20 ~~Crop _____ Nitrogen~~

21 ~~Forage Crops (per active growing season)~~

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1	Improved perennial grasses	
2	— grazed	200
3	— hay or silage (assuming 4 harvests)	400
4	Cool season annual grasses	
5	— (e.g., grazed small grains, ryegrass, fescue)	200
6	Warm season annual grasses	
7	— (e.g., sorghum-sudan hybrid or pearl millet)	
8	— grazed	200
9	— hay or silage (4 harvests)	400
10	Forage legumes (clovers and alfalfa)	
11	(per year maximum)	100
12	<u>Field Crops (per crop)</u>	
13	Corn (irrigated, for grain or silage)	250
14	Small grains for grain or silage	120
15	Grain or forage sorghum	150
16	Cotton	120
17	Peanuts	100
18	Soybeans	100
19	Sugarcane	200
20	<u>Vegetable Crops (per crop)</u>	
21	Sweet corn	120

1 ~~Tree Crops~~

2 ~~Citrus _____ *~~

3 ~~Pine~~

4 ~~(annual applications) _____ 75~~

5 ~~(single application per 15 to 25 year rotation) _____ 300~~

6 ~~* For citrus, the nitrogen demand will be as established by the Department of Agriculture~~
7 ~~and Consumer Services in Chapter 5E-1, F.A.C.~~

8 ~~_____ (b) _____ Using the nitrogen demand value estimated pursuant to paragraph (a)~~
9 ~~above, the maximum residuals nitrogen application rate shall be determined using the~~
10 ~~calculation method in Chapter 7, U.S. Environmental Protection Agency, Process~~
11 ~~Design Manual for Land Application of Sewage Sludge and Domestic Septage, which~~
12 ~~the Department incorporates here by reference, or other methods which shall be~~
13 ~~documented in the Agricultural Use Plan. The calculation shall account for the~~
14 ~~availability of nitrogen in the residuals and other applied sources.~~

15 ~~Specific Authority 403.051, 403.061, 403.062, 403.087, 403.088, 403.704, 403.707,~~

16 ~~F.S.~~

17 ~~Law Implemented 403.021, 403.051, 403.061, 403.087, 403.088, 403.0881, 403.702,~~

18 ~~403.704, 403.707, 403.708, F.S.~~

19 ~~History – New 3-30-98.~~

The title for subsection 62-640.800 is revised to add "Additional Requirements for" in the title.

20 **62-640.800 Additional Requirements for Reclamation Sites.**

Old subsection 62-640.800(1) is removed because of redundancy.

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1 ~~(1)~~ Residuals which meet the pathogen and vector attraction reduction
 2 requirements of Rule ~~62-640.600(1) and (2)~~, F.A.C., may be applied to land reclamation
 3 sites if the site use restrictions of Rule ~~62-640.600(3)~~, F.A.C., the criteria for land
 4 application of residuals of Rule ~~62-640.700~~, F.A.C., and the requirements of this section
 5 are met.

6 ~~(1)(2)~~ Maximum total allowable application quantity shall be limited to 50 dry
 7 tons/acre with such one-time reclamation project to be accomplished within a one-year
 8 period on any acre of a land reclamation site. When composted biosolids or biosolids
 9 ~~residuals or residuals~~ blended with other soil amendment materials are used, only the
 10 biosolids residuals portion of the blended product shall count toward the 50 dry
 11 tons/acre limitation.

12 ~~(2)(3)~~ Except for Class AA biosolids residuals the applied material shall be
 13 incorporated into the soil within the same day as application.

Subsection 62-640.800(3) is revised to add flexibility in the type of cover crop that must be planted.

14 ~~(3)(4)~~ Seed, ~~or~~ turf-forming grass or other vegetative cover if approved by the
 15 Department, shall be planted as soon as possible but in no case later than three months
 16 after the application of biosolids residuals.

Subsections 62-640.800(5) and (6) are removed for redundancy.

17 ~~(5)~~ Florida water quality standards shall not be violated as a result of land
 18 application of residuals, under Rule ~~62-640.700(2)(b)~~, F.A.C.

19 ~~(6)~~ Slopes must be eight percent or less before and after application.

20 ~~(4)(7)~~ Topographical grading shall be completed before application begins.

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1 ~~(5)(8)~~ In addition to the above requirements, land reclamation projects at mining
 2 reclamation sites shall be in compliance with any other applicable Department rules
 3 concerning mining reclamation.

4 Specific Authority 373.4595, 403.051, 403.061, 403.062, 403.087, 403.088, 403.704,
 5 403.707, F.S.

6 Law Implemented 373.4595, 403.021, 403.051, 403.061, 403.087, 403.088, 403.0881,
 7 403.702, 403.704, 403.707, 403.708, F.S.

8 History - New 8-12-90, Formerly 17-640.800, Amended 3-30-98, Amended ____.

9

Current subsections 62-640.850(1) and (2) are being revised to require distributed and marketed biosolids to meet Class AA biosolids requirements and to be distributed and marketed as a “fertilizer” to parallel the requirements of 373.4595, F.S.

10 **62-640.850 Distribution and Marketing of Class AA Biosolids Residuals.**

11 Biosolids or biosolids Residuals or residuals-products that are distributed and marketed
 12 shall be designated as Class AA if shall meet the requirements of this section are met,
 13 and the residuals are distributed and marketed.

14 (1) Distributed and marketed biosolids or biosolids Residuals or residuals
 15 products shall meet the requirements for Class AA biosolids as defined in Rule 62-
 16 640.200(10), F.A.C. pathogen reduction standards of Rule 62-640.600(1), F.A.C.

17 (2) Biosolids or biosolids Residuals or residuals-products shall be distributed
 18 and marketed as a fertilizer in accordance with Chapter 576, F.S., and Chapter 5E-1,
 19 F.A.C., or distributed and marketed to a person or entity that will sell or give-away the
 20 biosolids or biosolids products as a fertilizer or as a component of a fertilizer subject to

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1 Chapter 576, F.S., and Chapter 5E-1, F.A.C. meet one of the vector attraction reduction
 2 requirements in Title 40 Code of Federal Regulations Part 503, Section 503.33(b)(1)
 3 through (b)(8).

4 Current subsection 62-640.850(3) is revised by relocating the parameter concentration requirements to
subsection 62-640.700(5) and by adding the requirement for a distribution and marketing plan.

4 (3) Any treatment facility which produces biosolids in Florida that will be
 5 distributed and marketed or any person who delivers biosolids to Florida to be
 6 distributed and marketed shall submit a Biosolids Distribution and Marketing Plan.

7 (a) The Plan shall be submitted as follows:

8 1. Florida facilities shall submit the Plan with the treatment facility permit
 9 application. An updated Plan shall be submitted with each renewal application.

10 2. Persons shipping biosolids into Florida for distribution and marketing shall
 11 submit the Plan with the notification required by Rule 62-640.850(6), F.A.C. The Plan
 12 shall be updated and re-submitted every five years.

13 (b) The Plan shall include:

14 1. The fertilizer license number under which the biosolids or biosolids
 15 products will be distributed and marketed, and, if applicable, the fertilizer registration
 16 number if the fertilizer is registered as a specialty fertilizer;

17 2. The quantity and characteristics of the biosolids or biosolids products to
 18 be distributed and marketed annually;

19 3. The intended market audience and intended uses of the biosolids or
 20 biosolids products;

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1 4. The transportation, storage, and application procedures for the biosolids
2 or biosolids products;

3 5. The label or information sheet to be provided for the end user developed
4 in accordance with Rule 62-640.850(5), F.A.C., Chapter 576, F.S., and Chapter 5E-1,
5 F.A.C.;

6 6. Operation criteria for ensuring biosolids meet Class AA requirements prior
7 to distribution and marketing, including procedures for notifying persons who received
8 biosolids that failed to meet Class AA requirements;

9 7. Emergency plans if the biosolids or biosolids products are not distributed
10 or marketed as planned; and

11 8. Policies for addressing misuse or complaints associated with use of the
12 biosolids or biosolids products.

13 ~~Residuals or residuals products shall be analyzed in accordance with Rule 62-~~
14 ~~640.650(1), F.A.C., on a monthly basis, and the results shall be submitted to the~~
15 ~~Department in accordance with Rule 62-640.850(4), F.A.C.~~

16 ~~(a) The residuals or final residuals products shall have monthly average~~
17 ~~parameter concentrations not exceeding the following criteria:~~

18
19 CLASS AA PARAMETER CONCENTRATIONS

20 (mg/kg dry weight basis)

21 Parameter

Monthly Average

1	Arsenic	41
2	Cadmium	39
3	Copper	1500
4	Lead	300
5	Mercury	17
6	Nickel	420
7	Selenium	100
8	Zinc	2800

9

10 ~~_____ *The ceiling concentrations in Rule 62-640.700(1), F.A.C., also apply.~~

11 ~~(b) If the residuals must be blended with other materials to meet the criteria of~~
 12 ~~Rule 62-640.850(3)(a), F.A.C., the blending shall be conducted by a Department~~
 13 ~~permitted domestic wastewater treatment facility or residuals management facility~~
 14 ~~before the residuals are distributed or marketed. The blending methodology shall be~~
 15 ~~specified in the facility's permit.~~

Current subsection 62-640.850(4) is revised to require that Class AA distribution and marketing information be reported on the DMR instead of the Monthly Residuals Distribution and Marketing Report.

16 ~~(4) Any treatment facility which produces Class AA residuals in Florida or and~~
 17 ~~any person who distributes and markets ~~delivers~~ Class AA biosolids residuals to in~~
 18 ~~Florida shall submit the following information with the facility Discharge Monitoring~~
 19 ~~Report Monthly Residuals Distribution and Marketing Report to the Domestic~~
 20 ~~Wastewater Section of the Department, Twin Towers Office Building, 2600 Blair Stone~~

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1 | ~~Road, Mail Station 3540, Tallahassee, Florida, 32399-2400. The report shall be~~
 2 | ~~submitted on Form 62-640.210(2)(c), by the 28th day of the month following the~~
 3 | ~~reporting month, and shall include the following:~~

Current subsection 62-640.850(4)(a) is revised to clarify the reporting requirements for Class AA quantities.

4 | (a) ~~The~~ the total quantity of biosolids residuals (dry tons) distributed and
 5 | marketed in Florida. Treatment facility permittees in Florida also shall report the total
 6 | quantity of biosolids (dry tons) distributed and marketed outside of Florida delivered to or
 7 | applied in each county;

8 | (b) ~~The~~ the name and address of the treatment facility or person that
 9 | produced the Class AA biosolids; and residuals

Subsections 62-640.850(4)(c) and (d) are removed as this information will be part of the notification information.

10 | ~~(c) — the brand name, if any, and the product type of the residuals or residuals~~
 11 | ~~product;~~

12 | ~~(d) — the Department of Agriculture and Consumer Services (DACS) fertilizer~~
 13 | ~~licensee number, if applicable. For information about fertilizer registration, contact the~~
 14 | ~~Bureau of Compliance Monitoring, DACS, Tallahassee, Florida 32399-1650; and~~

Current subsection 62-640.850(4)(e) is renumbered and revised to clarify parameter monitoring reporting.

15 | ~~(c)(e)~~ The results of monitoring performed in accordance with Rule 62-
 16 | 640.650(3)(a)3., F.A.C. A for facilities located outside the state of Florida, a copy of the
 17 | biosolids residuals analysis report(s) from a laboratory certified in accordance with Rule
 18 | 62-620.610(18)(d), F.A.C., by the Department of Health under Chapter 64E-1, F.A.C., to
 19 | perform the analyses being reported, for each month the biosolids residuals were

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1 distributed and marketed in Florida, shall be included with the Discharge Monitoring
2 Report. ~~The report shall include the results of monitoring performed in accordance with~~
3 ~~Rule 62-640.650(1), F.A.C.~~

4 (5) In addition to any fertilizer labeling requirements of Chapter 576, F.S., and
5 Chapter 5E-1, F.A.C., ~~t~~The following information must be made available to the users by
6 the manufacturer by product labels or other means:

7 (a) The name and address of the treatment facility or person that produced
8 the ~~Class AA biosolids residuals~~;

9 (b) A statement that the biosolids or biosolids ~~residuals or residuals~~ product
10 meets the criteria of Rule 62-640.850(3), F.A.C.; and

11 (c) Recommendations on proper storage of the biosolids or biosolids product
12 prior to use and recommendations for application rates based on the characteristics and
13 expected uses of the biosolids or biosolids product. ~~A recommendation that residuals~~
14 ~~be applied at a rate that does not exceed the agronomic rate; and~~

15 (d) ~~The following residuals analysis information (dry weight basis):~~

- 16 _____ Total Nitrogen (%)
- 17 _____ Total Phosphorous (%)
- 18 _____ Total Potassium (%) _____

Current subsection 62-640.850(6) is modified to require more information from out-of-state importers of Class AA biosolids.

19 (6) Any person who intends to begin shipping Class AA biosolids residuals
20 into the state for distribution and marketing shall notify the ~~Domestic Wastewater~~

1 ~~Section of the Department's Tallahassee office~~ in writing of their intent to distribute and
 2 market the ~~biosolids residuals~~ in the state. The ~~notification notice~~ shall be sent to the
 3 Domestic Wastewater Section, Mail Station 3540, ~~Twin Towers Office Building~~, 2600
 4 Blair Stone Road, Tallahassee, FL 32399-2400. The ~~notification notice~~ shall be
 5 submitted at least 30 days prior to initiating shipment of the ~~biosolids residuals~~ into the
 6 state. Any persons currently shipping biosolids into the state for distribution and
 7 marketing shall have 90 days after (the effective date of the rule) to provide the above
 8 notification. The notification notice shall include:

9 (a) The name of the treatment facility producing the Class AA
 10 biosolids; residuals,

11 (b) A copy of the treatment facility permit from the state permitting authority
 12 where the facility is located;

13 (c) The treatment facility address and telephone number;

14 (d) The name of the person or entity shipping the biosolids into Florida;

15 (e) The name of the principal executive officer or authorized agent for the
 16 entity shipping the biosolids into Florida;

17 (f) The contact information for the person or entity shipping the biosolids into
 18 Florida;

19 (g) A description of how the Class AA biosolids residuals meet the
 20 requirements of Rule 62-640.850, F.A.C.;

1 (h) A copy of the latest analysis report from a laboratory certified in
 2 accordance with Rule 62-620.610(18)(d), F.A.C. by the state of Florida;

3 (i) A copy of the most recent annual report submitted to EPA in accordance
 4 with 40 CFR 503 Section 503.18;

5 (j) The approximate date of the first shipment into the state; the counties to
 6 which the residuals will be shipped,

7 (k) The brand name and product type of the biosolids, residuals, and

8 (m) The Biosolids Distribution and Marketing Plan developed in accordance
 9 with Rule 62-640.850(3), F.A.C.;

10 (n) The FDOACS DACS-fertilizer licensee number of the person who will
 11 distribute the biosolids as a fertilizer or as a ingredient of a fertilizer, and, if applicable,
 12 the FDOACS specialty fertilizer registration number; and-

13 (o) A copy of the fertilizer label required by Chapter 576, F.S., and Chapter
 14 5E-1, F.A.C., if applicable, and the information required by Rule 62-640.850(5), F.A.C.

New subsection 62-640.850(7) requires the annual submittal of copies of the applicable facility EPA Annual Report.

15 (7) By February 19 of each year, any person shipping biosolids to Florida for
 16 distribution and marketing shall submit a copy of the applicable EPA facility annual
 17 biosolids report required by 40 CFR 503 Section 503.18, to the Department's Domestic
 18 Wastewater Section, MS#3540, 2600 Blair Stone Road, Tallahassee, Florida 32399-
 19 2400.

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1 Specific Authority 373.4595, 403.051, 403.061, 403.062, 403.087, 403.088, 403.704,
2 403.707, F.S.

3 Law Implemented 373.4595, 403.021, 403.051, 403.061, 403.087, 403.088, 403.0881,
4 403.702, 403.704, 403.707, 403.708, F.S.

5 History - New 8-12-90, Formerly 17-640.850, Amended 3-30-98, Amended.
6

7 **62-640.860 Other Solids.**

8 (1) General Criteria. The disposal or use of other solids as defined in
9 Rule 62-640.200(~~31~~)(24), F.A.C., shall be authorized in a Department treatment facility
10 permit and addressed in the NMP Agricultural Use Plan for the permitted application
11 site.

12 (a) The beneficial use of other solids which meets the criteria of Rule 62-
13 640.860(2), F.A.C., shall be authorized in a wastewater permit.

14 (b) The disposal of other solids which does not meet the criteria of
15 Rule 62-640.860(2), F.A.C., shall be in accordance with the design and operational
16 criteria of Chapter 62-701, F.A.C.

17 (2) Beneficial Use of Other Solids. Other solids may be used in a way which
18 is beneficial to the land if all of the following conditions are met.

19 (a) The permittee shall demonstrate how use of the other solids will be
20 beneficial to the land, such as use as a soil amendment.

21 (b) The other solids shall be monitored and analyzed in accordance with

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1 Rule 62-640.650, F.A.C.

Subsection 62-640.860(2)(c) is revised since application site use restrictions are covered in subsection 62-640.700.

2 (c) The other solids shall meet the pathogen and vector attraction reduction
3 requirements, ~~and the site use restrictions~~ of Rule 62-640.600, F.A.C. The Department
4 shall review and approve the design and operational parameters of the treatment
5 method used to reduce pathogens and vector attraction during application for a
6 wastewater permit.

7 (d) The land application of other solids shall meet all of the criteria provided in
8 Rule 62-640.700, F.A.C., for land application of biosolids residuals.

Subsection 62-640.860(2)(e) is simplified to require that the use of other solids be consistent with the NMP.

9 (e) The application rate of other solids to land shall be consistent with justified
10 the NMP ~~by the permittee in the permit application. The permittee shall demonstrate~~
11 ~~that the application rate is beneficial to the land. The application rate shall not be~~
12 ~~determined exclusively by the nitrogen content of the other solids, except that the~~
13 ~~application rate shall not exceed the agronomic needs of the site vegetation.~~

14 (3) Other solids which are combined with biosolids residuals prior to final
15 treatment of the biosolids residuals are subject to all of the requirements of this chapter
16 ~~Chapter~~ that apply to biosolids residuals.

17 Specific Authority 403.051, 403.061, 403.062, 403.087, 403.088, 403.704, 403.707,

18 F.S.

1 Law Implemented 403.021, 403.051, 403.061, 403.087, 403.088, 403.0881, 403.702,

2 403.704, 403.707, 403.708, F.S.

3 History - New 3-30-98, Amended _____.

4

5 ~~62-640.870 Approval of Alternative Procedures and Requirements.~~

6 **(Repealed)**

7 ~~Specific Authority 403.061, 403.062, 403.087, 403.088, 403.704, 403.707, FS.~~

8 ~~Laws Implemented 403.021, 403.061, 403.087, 403.088, 403.0881, 403.702, 403.704,~~

9 ~~403.707, 403.708, FS.~~

10 ~~History - New 8-12-90, Formerly 17-640.870, Repealed~~

11 ~~3-30-98.~~

12

The title to subsection 62-640.880 is revised to add “Additional Requirements for...” since these are not the only applicable requirements for biosolids treatment facilities. The title is also revised to change terms from “biosolids management facility” to “biosolids treatment facilities” since this section addresses biosolids treatment facilities.

13 **62-640.880 Additional Requirements Related to Biosolids**

14 **Treatment Residuals Management Facilities.**

15 The requirements of this section shall apply to any facility that treats biosolids residuals

16 from other facilities prior to use, ~~or~~ land application, or disposal. These requirements

17 also apply to septage management facilities that treat domestic septage and

18 combinations of food establishment sludges, wastes removed from portable toilets, and

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1 wastes removed from holding tanks associated with boats, marina pumpout, or other
2 onsite systems prior to use, ~~or land application, or disposal~~.

3 (1) General Criteria.

4 (a) The ~~biosolids treatment residuals management~~ facility permittee shall be
5 responsible for proper treatment, management, use, ~~and land application, and disposal~~
6 of the ~~biosolids residuals~~ it accepts from a source facility, according to the requirements
7 of this ~~chapter~~ Chapter.

8 1. The ~~biosolids applied to land or distributed and marketed residuals~~ shall
9 meet the pathogen reduction ~~and~~, vector attraction reduction, ~~and site use~~ requirements
10 of Rule 62-640.600, F.A.C.

11 2. The ~~biosolids treatment residuals management~~ facility shall meet the
12 monitoring, record keeping, reporting and notification requirements of Rule 62-640.650,
13 F.A.C., and the additional requirements of this section.

14 3. The ~~biosolids residuals~~ shall be applied to land or distributed and
15 marketed in accordance with the applicable requirements of Rules 62-640.700, ~~62-~~
16 ~~640.750, 62-640.800, 62-640.850~~, F.A.C., and the additional requirements of this
17 section.

18 (b) The source facility permittee shall not be held responsible for treatment,
19 management, use, ~~or land application, or disposal~~ violations that occur after its ~~biosolids~~
20 ~~residuals~~ have been accepted by a permitted ~~biosolids treatment residuals management~~
21 facility with which the source facility permittee has an agreement in accordance with

1 Rule 62-640.880(1)(c), F.A.C., for further treatment, management, use, ~~or~~ land
 2 application, or disposal.

Subsection 62-640.880(1)(c) is revised to make it the responsibility of both parties (biosolids treatment facility and source facility) to submit the written contract between them to the Department.

3 (c) The source facility and the biosolids treatment~~residuals management~~
 4 facility shall enter into a written agreement addressing the quality and quantity of the
 5 biosolids residuals~~residuals~~ accepted by the biosolids treatment~~residuals management~~ facility.
 6 The agreement shall include a statement, signed by the biosolids treatment~~residuals~~
 7 ~~management~~ facility permittee, as to the availability of sufficient permitted capacity to
 8 receive the biosolids residuals~~residuals~~ from the source facility, and indicating that the biosolids
 9 treatment~~residuals management~~ facility will continue to operate in compliance with the
 10 requirements of its permit. The agreement shall also address responsibility during
 11 transport of biosolids residuals~~residuals~~ between the facilities. The biosolids treatment~~residuals~~
 12 ~~management~~ facility and the source facility permittee ~~permittee~~ shall submit a copy of
 13 this agreement to the appropriate District Office of the Department, or to the delegated
 14 local program~~Local Program~~, at least 30 days before transporting biosolids residuals
 15 from the source facility to the biosolids treatment~~residuals management~~ facility.

16 (2) Permitting.

17 (a) Fees. For the purpose of determining applicable permit fees, the biosolids
 18 treatment~~residuals management~~ facility shall be classified as a Type I, II, or III biosolids
 19 management facility based on the design capacity established by the permittee as
 20 follows:

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1

Type	<u>Design Capacity</u> (dry tons per year)	<u>Design Capacity</u> (dry tons per day)
I	>1653	>4.5
II	320 - 1653	0.88 - 4.5
III	<320	<0.88

7

8 (b) All applications for ~~biosolids treatment residuals management~~ facility
 9 permits shall be submitted on Department Form 62-620.910(2), Application Form 2A,
 10 Permit for Domestic Wastewater Treatment and Reuse or Disposal Facility.

Subsection 62-640.880(2)(c) is revised to include a provision that specifically allows a district office to consider allowing a biosolids treatment facility to accept material from a specific industrial source.

11 (c) Under the requirements of this chapter and the applicable requirements of
 12 Chapter 62-600, F.A.C., and Chapter 62-620, F.A.C., the ~~biosolids treatment residuals~~
 13 ~~management~~ facility shall be permitted to treat either ~~biosolids residuals~~ or
 14 combinations of ~~biosolids residuals~~, domestic septage, food establishment sludges,
 15 wastes removed from portable toilets, and wastes removed from holding tanks
 16 associated with boats, marina pumpout, and other onsite systems. A biosolids
 17 treatment facility shall not accept industrial sludges unless specific approval is granted
 18 in the biosolids treatment facility permit. A separate approval shall be obtained for each
 19 source of industrial sludge that will be accepted by the biosolids treatment facility.
 20 Approval shall be granted only if it is determined that the industrial sludge will not

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1 interfere with the beneficial use of the biosolids treated by the biosolids treatment
2 facility. This determination shall be based on an evaluation of all parameters in the
3 industrial sludge that have the reasonable potential to adversely impact public health or
4 the environment.

5 (d) A domestic wastewater treatment facility that intends to accept biosolids
6 ~~residuals~~ from other facilities and that already holds a valid wastewater permit shall not
7 be required to obtain a separate permit as a biosolids treatment residuals management
8 facility, but shall obtain a permit revision based on the requirements of this section.

9 (e) An applicant for a wastewater permit for a new biosolids treatment
10 ~~residuals management~~ facility or substantial modifications to an existing facility shall
11 submit a preliminary design report or other information as specified for domestic
12 wastewater facilities in Rule 62-620.412, F.A.C., for review by the Department as part of
13 the application for permit. As appropriate, the preliminary design report shall include the
14 following:

15 1. Types, quantities and characteristics of all materials to be treated at the
16 facility. If the facility will treat wastes removed from portable toilets, or wastes removed
17 from holding tanks associated with boats, marina pumpout, and other onsite systems,
18 the preliminary design report shall also address the organic loading from those wastes,
19 and chemical additives that may be present in such wastes;

20 2. The design capacity, which shall address the contribution of all materials
21 that will be treated at the facility (i.e., biosolids residuals, domestic septage, food

1 establishment sludge, wastes removed from portable toilets, and wastes removed from
 2 holding tanks associated with boats, marina pumpout, and other onsite systems);

3 3. The design ratios of domestic septage, food establishment sludges, and
 4 wastes removed from portable toilets, or wastes removed from holding tanks associated
 5 with boats, marina pumpout, and other onsite systems;

6 4. A site plan showing operations and unit processes; 100-year and 25-year
 7 flood elevations; approximate finish elevations for all major treatment units, mixing
 8 tanks; storage tanks; and equipment;

9 5. An assessment of environmental effects of the project, including odor,
 10 dust and noise control, public accessibility, proximity to existing and proposed
 11 residential areas, flood protection, and lighting;

12 6. Class of pathogen reduction and vector attraction reduction that will be
 13 achieved in accordance with Rules 62-640.600(1) and (2), F.A.C., and a description of
 14 treatment processes and equipment that will be used;

15 7. Technical information and design criteria for treatment facilities, including

16 a. Hydraulic and organic loading rates - minimum, average, and maximum
 17 quantities for the treatment processes,

18 b. Metering and sampling provision,

19 c. Solids retention time,

20 New subsection 62-640.880(2)(e)7.d requires the treatment process parameters that must be monitored to be identified.

d. All treatment process parameters to be monitored,

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-
- 1 | ed. Chemical addition facilities, if applicable,
- 2 | fe. Removals or concentrations with separate tabulation for each unit
- 3 | handling solid fractions with supporting data including design calculations,
- 4 | gf. Mode of operation (batch or continuous),
- 5 | hg. Corrosion control measures, and
- 6 | ih. Onsite storage of treated and untreated biosolids~~residuals~~, storage of
- 7 | chemicals, and alternate disposal methods;
- 8 | 8. Process diagrams, including
- 9 | a. Expected dimensions of unit operations and processes, capacities and
- 10 | volumes,
- 11 | b. Process configuration,
- 12 | c. Hydraulic profile,
- 13 | d. Organic loading profile,
- 14 | e. Solids profile,
- 15 | f. Solids control system, and
- 16 | g. Flow diagram with capacities;
- 17 | 9. Operation and control strategies included for prevention of upsets, spill
- 18 | prevention and control, leachate collection if applicable, alternate disposal methods, and
- 19 | reliability classification and features; and
- 20 | 10. Composting facilities shall identify the bulking agent, recommended mixing
- 21 | ratios and moisture content, aeration methods, retention times for curing and drying,

1 precipitation and runoff control measures, and provisions to reduce particle size of
2 larger yard trash items such as limbs, trees and tree stumps to promote composting.

New subsection 62-640.880(2)(f) requires larger biosolids treatment facilities to provide redundancy and reliability for their treatment processes.

3 (f) All biosolids treatment facilities permitted as Type I or Type II biosolids
4 management facilities shall provide reliability features, such as redundancy of
5 equipment, to provide for the continued and timely treatment of all biosolids the facility
6 has the responsibility to treat.

7 (g)(f) Operation and maintenance performance reports shall be required of all
8 permittees in accordance with Rule 62-600.735(1), F.A.C., and shall address all process
9 components, such as digesters, holding tanks, pumps, mixers, chemical feed
10 equipment, and safety requirements.

Subsection 62-640.880(2)(h) is revised to no longer require the submittal of capacity analysis reports by biosolids treatment facilities.

11 (h)(g) Biosolids treatment facilities shall be exempt from the capacity analysis
12 report requirement of Rule 62-600.405, F.A.C. Capacity analysis reports shall be
13 submitted by the permittee in accordance with Rule 62-600.405, F.A.C., when the three-
14 month average daily loading exceeds 50 percent of the permitted capacity. If the report
15 documents that the capacity of the facility will not be equaled or exceeded for the next
16 ten years, an updated report shall be due only every five years.

17 (i)(h) An operation and maintenance manual shall be prepared for all biosolids
18 treatment residuals management facilities, in accordance with Rule 62-600.720, F.A.C.,
19 and Chapter 62-620, F.A.C. In addition to the requirements specified in Chapters 62-

1 620 and 62-600, F.A.C., the operation and maintenance manual shall provide the
 2 operator with procedures for:

- 3 1. Controlling and verifying the type of waste received at the facility;
- 4 2. Vehicle traffic control and unloading;
- 5 3. Measures to avoid mixing incoming untreated biosolids residuals with
 6 treated biosolids residuals;
- 7 4. Maintaining hauling records in accordance with Rule 62-640.880(4),
 8 F.A.C.; and
- 9 5. Storage of biosolids residuals and other materials at the treatment facility
 10 site.

11 ~~(j)~~(i) Staffing. The level of operator staffing at a biosolids treatment residuals
 12 ~~management~~ facility shall be as follows:

13

	<u>Type I*</u>	<u>Type II*</u>	<u>Type III*</u>
14 A/AA**	Class A Operator	Class B Operator	Class B Operator
15	8 hours/day	4 hours/day	2 hours/day
16	5 days/week	5 days/week	5 days/week
17 B**	Class A Operator	Class B Operator	Class C Operator
18	2 hours/day	1 hour/day	1 hour/day
19	5 days/week	5 days/week	3 days/week
20 B***	Class A Operator	Class B Operator	Class C Operator
21			

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1 1 hour/day 1 hour/day 1 hour/week

2 5 days/week 3 days/week

3

4 * Classification of Type of facility as determined by Rule 62-640.880(2)(a), F.A.C.

5 ** These letters correspond to the Class of pathogen reduction that is achieved by the

6 biosolids treatment residuals management facility in accordance with Rule 62-

7 640.600(1), F.A.C.

8 *** This category is for Class B liquid alkaline stabilization only.

9 1. The operator classification requirements shall be in accordance with
10 Chapter 62-699, F.A.C.

11 2. Operator staffing requirements for facilities addressed in
12 Rule 62-640.880(2)(d), F.A.C., shall be established as the more stringent of either the
13 requirements in Chapter 62-699, F.A.C., or the requirements in Rule 62-640.880(2)(j)(4),
14 F.A.C.

15 3. In addition to the above staffing requirements, other personnel that are trained
16 in the treatment process and equipment being used, working under the direction of a
17 certified operator, shall be present at the biosolids treatment residuals management
18 facility during loading and unloading operations and during other operating hours as
19 recommended in the preliminary design report.

Subsection 62-640.880(2)(j)4 is renumbered and revised to allow the facility to request other changes to staffing requirements.

20 4. If justified by the complexity of the treatment process, the Department shall

1 require a higher classification, more frequent visits, or more hours per day. Upon
 2 written approval from the Department, however, a facility, through a minor permit
 3 revision under Rule 62-620.325, F.A.C., may alter or decrease its staffing requirement
 4 based upon site-specific requirements, facility operation, risk to public health and the
 5 environment, and the presence of other trained personnel.

6 ~~(k)(i)~~ The biosolids treatment residuals management facility permittee shall be
 7 responsible for making the facilities safe in terms of public health and safety at all times,
 8 and shall notify the Department and all affected parties, in writing, at least 60 days
 9 before ceasing operation in accordance with Rule 62-620.610(15), F.A.C.

10 (3) Treatment Facility Biosolids Plan~~Agricultural Use Plans~~.

11 (a) The biosolids treatment residuals management facility shall submit a
 12 Treatment Facility Biosolids Plan, Form 62-640.210(2)(a) ~~an Agricultural Use Plan(s)~~
 13 with its wastewater permit application under Rule 62-640.~~300(3)~~500, F.A.C.

14 (b) A source facility shall not be required to submit a Treatment Facility Biosolids
 15 ~~an Agricultural Use Plan~~ for the land application of biosolids residuals that are
 16 transported to a biosolids treatment residuals management facility which is permitted
 17 under this ~~chapter~~ Chapter.

18 (4) Hauling Records.

19 (a) The biosolids treatment residuals management facility and the source facility
 20 transporting the biosolids residuals shall maintain hauling records to track the transport

1 of ~~biosolids residuals~~ between facilities. The hauling records for each party shall
 2 contain the following information:

3

4	<u>Source Facility</u>	<u>Biosolids Treatment Residuals Management</u>
5		<u>Facility</u>

6	1. Date and Time Shipped	1. Date and Time Received
---	--------------------------	---------------------------

7	2. Amount of Biosolids Residuals	2. Amount of Biosolids Residuals
8	Shipped	Received

9	3. Degree of Treatment	3. Name and ID Number of
10	(if applicable)	Source Facility

11	4. Name and ID Number of	4. Signature of Hauler
12	<u>Biosolids Treatment Residuals</u>	5. Signature of Responsible

13	Management Facility	Party at <u>Biosolids Treatment Residuals</u>
14	5. Signature of Responsible	Management Facility

15	Party at Source Facility
----	--------------------------

16	6. Signature of Hauler
17	and Name of Hauling Firm

18 (b) The hauling records shall be kept by both facility permittees for five years
 19 and shall be made available for inspection upon request by the Department. A copy of
 20 the hauling records information maintained by the source facility shall be provided upon

1 | delivery of the biosolids residuals to the biosolids treatment residuals management
 2 | facility.

3 | (c) The biosolids treatment residuals management facility permittee shall
 4 | report to the appropriate District Office of the Department within 24 hours of discovery
 5 | any discrepancy in the quantity of biosolids residuals leaving the source facility and
 6 | arriving at the biosolids treatment residuals management facility.

7 | (5) Monitoring.

8 | (a) The Department shall not require the source facility to sample and analyze
 9 | the biosolids residuals in accordance with Rule 62-640.650(3)(4), F.A.C., except as
 10 | required by Rule 62-640.880(5)(b), F.A.C., unless:

11 | 1. final treatment is performed by the source facility before transport to the
 12 | biosolids treatment residuals management facility; and

13 | 2. the quality of the biosolids residuals is not changed at the biosolids
 14 | treatment residuals management facility.

15 | This provision shall not prevent the source facility from performing sampling and
 16 | analysis separate from the source facility's Department permit if such sampling and
 17 | analysis is mutually agreed to by the source facility and the biosolids treatment residuals
 18 | management facility.

New subsection 62-640.880(5)(b) adds a requirement for source facility sampling/monitoring at the time of permit application for the source facility.

1 (b) For new permits, permit renewals, or substantial permit modifications,
 2 source facilities shall sample for the parameters in Rule 62-640.650(3), F.A.C., and
 3 submit the results to the Department with the permit application.

Subsection 62-640.880(5)(b) is renumbered and revised for consistency with and to reference the monitoring section of the rule.

4 ~~(c)(b)~~ Sampling and analysis shall be conducted by the biosolids
 5 treatment residuals management facility in accordance with Rule 62-640.650(3)(1),
 6 F.A.C., and shall be performed after final treatment, but before use or land application.
 7 The minimum monitoring frequency shall be determined under Rule 62-
 8 640.650(3)(a)4.(1)(c), F.A.C. The Department may increase or reduce the monitoring
 9 frequency in accordance with Rule 62-640.650, F.A.C. ~~based on industrial wastewater~~
 10 ~~contribution to a source facility, or the operating and compliance history of the residuals~~
 11 ~~management facility or the source facility, or to establish a history of residuals quality.~~
 12 ~~An increase in monitoring requirements will require a minor permit revision under Rule~~
 13 ~~62-620.325, F.A.C.~~

14 (6) Septage Management Facilities.

15 (a) Septage management facilities that treat more than 10,000 gallons per
 16 day monthly average daily flow or equivalent, or more than 20,000 gallons or equivalent
 17 on any one day, shall meet all the requirements of Rule 62-640.880, F.A.C., except that
 18 septage management facilities are exempt from the inter-facility agreement
 19 requirements of Rule 62-640.880(1)(c), F.A.C., and the hauling records requirements of
 20 Rule 62-640.880(4), F.A.C.

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-
- 1 (b) If a permittee intends to use a septage management facility to treat
 2 ~~biosolids residuals~~, the facility must be permitted as a ~~biosolids treatment residuals~~
 3 ~~management~~ facility in accordance with the requirements of this section.
- 4 Specific Authority 403.051, 403.061, 403.062, 403.087, 403.088, 403.704, 403.707,
 5 F.S.
- 6 Law Implemented 403.021, 403.051, 403.061, 403.087, 403.088, 403.0881, 403.702,
 7 403.704, 403.707, 403.708, F.S.
- 8 History - New. 3-30-98, Amended _____.
- 9
- 10 ~~_____ 62-640.900 Forms. (Repealed)~~
- 11 ~~Specific Authority 403.061, 403.087, 403.704, 403.707, FS.~~
- 12 ~~Law Implemented 403.021, 403.061, 403.087, 403.0881, 403.702, 403.704, 403.707,~~
 13 ~~403.708, FS.~~
- 14 ~~History - New 8-12-90; Amended 3-1-91, Formerly 17-640.900, Repealed 3-30-98.~~