

**Louisiana Administrative Code Title 33 Part IX Water Quality
Subpart 3 Louisiana Sewage Sludge and Biosolids Program**

Does this Rule Apply to My Facility?

- Does your facility have a sewage treatment plant?
- Does your facility receive domestic septage and/or portable toilet waste for treatment?
- Does or did your facility operate a sanitary wastewater treatment facility or sewage sludge disposal pond/lagoon that is no longer in operation or is soon to be no longer in operation? **If you answered yes to any of the questions above, then read on.....this rule applies.**

What is the Rule?

The Sewage Sludge and Biosolids Use or Disposal regulations were published in the Louisiana Register on November 20, 2007 as a Final Rule. The regulations can be accessed by clicking on the following: [Sewage Sludge and Biosolids Use or Disposal Regulations - LAC 33:IX.Subpart 3.Chapter 73](#).

This Rule removes the provision that restricted the usage of the sewage sludge regulations until such time that the LDEQ receives delegation for the Sewage Sludge Management Program from the EPA. The EPA has implemented the program in the state since 1993 and will continue to do so at the federal level through the Standards for the Use or Disposal of Sewage Sludge regulations in 40 CFR Part 503, in accordance with Section 405(d) and (e) of the CWA, until such time that the state assumes delegation of the Program from the EPA.

Prior to the Emergency Rule issued September 1, 2005, sewage sludge was managed by three different programs within the state and the EPA. The multiple permitting processes were cumbersome and expensive for both the state and the regulated community and have resulted in inadequately permitted and/or designed facilities accepting this waste. This Emergency Rule was published to streamline and expedite the permitting process by removing the solid waste requirements for the management of sewage sludge from the solid waste regulations (LAC 33:Part VII). Sewage sludge will be managed by LAC 33:IX.Chapter 73 that is reflective of and equivalent to the CWA Section 503 program at the federal level. Updating and clarification of the regulations were necessary to fully implement the Rule at the state level in Louisiana.

Amendments include:

- Restrictions as to what materials can be prepared with sewage sludge
- Revisions to sewage sludge treatment facility site requirements
- Revisions to the financial assurance requirements
- Provisions to allow the land application of a mixture of sewage sludge and grease pumped or removed from a food service establishment
- Certification of preparers of sewage sludge and land appliers of biosolids
- Provisions for closure of treatment facilities that were utilized for the treatment of sanitary wastewater or sewage sludge
- Permit application submittal deadlines

What is Sewage Sludge?

Sewage sludge is any solid, semi-solid, or liquid residue removed during the treatment of municipal wastewater or domestic sewage. It includes, but is not limited to, solids removed during primary, secondary, or advanced wastewater treatment; scum; domestic septage; portable toilet pumping; Type III marine sanitation device pumpings (33 CFR Part 159); and sewage sludge products. It does not include grit or screenings, or ash generated during the incineration of sewage sludge.

What are the Requirements?

The intent of this PROVision is to inform permittees of the requirements in the Biosolids Program which are applicable to a large majority of our clients. These requirements are as follows:

Privately owned sanitary wastewater treatment facilities that have sewage sludge pumped or removed (wasted) from a sanitary wastewater treatment facility (including domestic septage, portable toilet waste, and grease mixed with sewage sludge) must submit a permit application as follows:

- Three years from June 1, 2006 for major facilities (June 1, 2009)
- Five years from June 1, 2006 for minor facilities (June 1, 2011)

Sanitary wastewater treatment facilities that receive domestic septage and/or portable toilet waste into their systems:

Of the three scenarios, this is the least common scenario for an industrial facility. Facilities were required to submit an application 180 days after June 1, 2006 (November 28, 2006).

Additionally, EPA Biosolids publications and the 10 State Standards maintain that for every 100 gallons of septage directly introduced into a treatment system, 3,000 gallons of sewage must be introduced to compensate for the highly concentrated septage. Based on this published data, the LDEQ will limit the direct discharge of septage into a sanitary wastewater treatment system to 3% of the daily estimated flow. Direct shall be defined as discharge into the headworks or discharge into a manhole.

Sanitary wastewater treatment facilities and sewage sludge disposal ponds/lagoons closure:

For ponds/lagoons previously used for treatment of sanitary wastewater or sewage sludge, but that no longer receive sanitary wastewater or sewage sludge, a closure plan must be submitted to the LDEQ. The following requirements apply:

- Surface disposal is prohibited as a use or disposal method of sewage sludge or biosolids.
- The storage of sewage sludge or biosolids is allowed for a period not to exceed six consecutive months. Note that there are stipulations and the storage of this material requires a permit.
- The use of a pond or lagoon is allowed for the treatment of sewage sludge only after a permit has been granted under these regulations and the applicable air and water discharge permits have been applied for and granted by the administrative authority.
- Otherwise, the liquid portion must be removed in a manner that meets the requirements of LAC 33:IX.Subpart 2 and the sewage sludge or biosolids from the pond/lagoon must be handled in one of the following manners:
 - The sewage sludge or biosolids shall be removed and disposed of in a permitted municipal solid waste landfill (requires a closure plan)

- Obtain exceptional quality biosolids certification without further soil or site restrictions
- Obtain approval for land application as a non-exceptional quality biosolids with soil or site restrictions (requires an application for a Sewage Sludge Use or Disposal Permit)

If a pond was utilized for the “sole” purpose of the disposal of sewage sludge (includes domestic septage and portable toilet waste), the closure requirements are as follows:

- If the pond met EPA 40 CFR 503 Subpart C requirements, the pond had to be closed on or before September 1, 2007.
- If the pond did not meet the EPA 40 CFR 503 Subpart C requirements, the pond had to be closed on or before September 1, 2005.

Facilities with ponds utilized for (a) the “treatment” of sewage sludge or ponds utilized for (b) the treatment of sanitary wastewater and that accept domestic septage and/or portable toilet waste should have applied for a Sewage Sludge & Biosolids Use or Disposal Permit on or before June 1, 2006.

Please be aware that the rule also covers actual disposal in a permitted municipal solid waste landfill, preparation of sewage sludge into exceptional quality biosolids, land application of a Class B biosolids, and incineration. These requirements are not covered in this PROVision.

Conclusion

The LDEQ is attempting to gain a better handle on tracking sewage sludge or biosolids from cradle to grave. These regulations apply to almost every facility in the state of Louisiana in some manner, whether the facility has a treatment system pumped, portable toilets pumped, receives septage, has the need to close a pond that was used for treatment of sanitary wastewater, hauls septage, prepares sewage sludge, *etc.* More than likely, the scenario of having a treatment system or portable toilets that require the sewage sludge to be pumped routinely applies to your facility. The required applications can be obtained at the website link below.

For additional information please contact Melissa Strickland at (225) 766-7400 or refer to the Federal Register link on page 1 of this PROVision and the LDEQ’s website [Biosolids - Sewage Sludge](#).



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**1201 Main Street
Baton Rouge, Louisiana 70802
Phone: (225) 766-7400
Fax: (225) 766-7440**

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