

3745-40-07

**Requirements for the storage of biosolids: isolation distance requirements and requirements for field and regional facility storage.**

[Comment: Definitions relevant to this chapter can be found in rule 3745-40-01 of the Administrative Code.]

(A) Biosolids that are stored shall be protective of human health and the environment and shall not impact waters of the state.

(B) Prohibitions. If utilizing vector attraction reduction options nine (VAR-9) or ten (VAR-10), the field storage of class B biosolids is prohibited.

(C) Isolation distance requirements.

(1) The isolation distances listed in table C-1 of this rule shall be maintained for the field storage of class B and bulk exceptional quality biosolids.

-Table C-1: Isolation distance requirements that shall be maintained from the location of class B and bulk exceptional quality biosolids. -

Isolation distance requirement:	To be maintained from:	For biosolids classification
Three feet	Bedrock	Class B and bulk exceptional quality
One hundred feet	Surface waters of the state	Class B and bulk exceptional quality
Three hundred feet	A sinkhole or a UIC class V drainage well	Class B and bulk exceptional quality
Three hundred feet	An occupied building	Class B
Three hundred feet	A private, potable water source	Class B
One thousand feet	A medical care facility	Class B

(2) In addition to the isolation distance requirements in table C-1 of this rule, no person shall store class B biosolids:

(a) Within the following areas pertaining to public water systems:

(i) Within the sanitary isolation distance a public water system must maintain for a drinking water supply well as established in rule 3745-9-04 of the Administrative Code;

(ii) Within the following areas defined in table C-2 of this rule; or

-Table C-2: Setback requirements for public water systems.-

Type of public water system	Setback
Community or non-transient, non-community public water system	The inner management zone; if the drinking water source protection area is underlain by karst or fractured bedrock and has been determined to be highly susceptible to contamination, the setback shall be extended to include the entire drinking water source protection area.
Transient, non-community public water system using ground water	Three hundred feet from the water supply well

(iii) Within the emergency management zone for a public water system using surface water. Where no emergency management zone has been delineated or endorsed by the Ohio environmental protection agency, the isolation distance shall consist of a circle with a radius of one thousand five hundred feet from the intake;

(b) Within a low lying wet area or on soils frequently flooded; or

[Comment: "Frequently flooded" and "low lying wet area" are defined in rule 3745-40-01 of the Administrative Code.]

(c) Where the slope is greater than fifteen per cent.

(D) The maximum amount of class B or bulk exceptional quality biosolids to be delivered:

(1) To any beneficial use site in one crop year shall not exceed the agronomic rate of class B or bulk exceptional quality biosolids for the beneficial use site and any contiguous beneficial use site; and

(2) To any land reclamation site shall be in accordance with paragraphs (B) to (B)(2) of rule 3745-40-03 of the Administrative Code.

(E) For class B or bulk exceptional quality biosolids that are stockpiled or stored at the beneficial use site:

(1) The field storage of class B or bulk exceptional quality biosolids at any beneficial use site shall be in accordance with table E-1 of this rule; and

(2) For class B or bulk exceptional quality biosolids stored at a beneficial use site, the date of first delivery of the biosolids to the beneficial use site and the date that beneficial use of the biosolids is completed shall be recorded.

-Table E-1: Field storage requirements.-

Biosolids classification	Number of days of field storage	Is field storage allowed?
Class B and bulk exceptional quality	Less than or equal to ninety days	Yes <sup>1</sup>
Class B and bulk exceptional quality	Greater than ninety days	No. The field storage of biosolids for more than ninety days is prohibited. <sup>2</sup>

Note 1: Field storage is allowed, provided surface water diversions and other best management practices are utilized as appropriate. Surface water diversions include, but are not limited to, straw bales or silt fence installed to catch any solids in runoff, or temporary berms installed to divert runoff away from the biosolids. These measures are not necessary for the temporary transfer of biosolids from a delivery vehicle to a beneficial use vehicle on the same day the biosolids are delivered to the beneficial use site.

Note 2: If biosolids can not be spread within ninety days after delivery to the beneficial use site, the biosolids shall be returned to the treatment works at which the biosolids were generated, taken to a landfill for disposal, taken to another treatment works provided said treatment works has an NPDES permit for the treatment, storage, transfer or disposal of biosolids, or taken to another beneficial use site where the biosolids shall be beneficially used the same day that the biosolids were removed from the previous beneficial use site.

(F) Regional storage facility requirements. A regional storage facility is required when biosolids will be stored for more than ninety days at any place other than the generating treatment facility.

- (1) A permit to install, in accordance with Chapter 3745-42 of the Administrative Code, shall be obtained from the director prior to the construction of a regional storage facility.
- (2) An NPDES permit shall be obtained prior to any treatment of biosolids at a regional storage facility.
- (3) No person shall:
  - (a) Store biosolids at a regional storage facility for more than two years without proper authorization from the director or an authorized representative;
  - (b) Unless in accordance with an NPDES permit, mix class B biosolids from two different treatment works at a regional storage facility;
  - (c) Locate a regional storage facility within a drinking water source protection area for a community public water system using ground water; or

- (d) Locate a regional storage facility where there is a potential for an unpermitted discharge to waters of the state.
- (G) To protect public health or the environment or to minimize the creation of nuisance odors, the director or an authorized representative may:
- (1) Decrease the maximum time biosolids may be stored at a beneficial use site; or
  - (2) Prohibit the storage of biosolids at a beneficial use site.

Effective: 7/1/2011

R.C. 119.032 review date: 7/1/2016

Promulgated Under: R.C. 119.03

Statutory Authority: R.C. 6111.03, 6111.042

Rule Amplifies: R.C. 6111.03, 6111.042

Prior Effective Dates: 4/8/2002, 10/17/2003, 10/1/2007