

**Title 33**  
**ENVIRONMENTAL QUALITY**  
**Part IX. Water Quality**

**Subpart 3. Louisiana Sewage Sludge and Biosolids Program**

**Chapter 73. Standards for the Use or Disposal of Sewage Sludge and Biosolids**

**Subchapter A. Program Requirements**

**§7301. General Provisions**

A. – A.2.b.iii. ...

B. General Definitions. The following terms used in this Chapter shall have the meanings listed below, unless the context clearly indicates otherwise, or the term is specifically redefined in a particular Section.

\* \* \*

*Commercial Preparer of Sewage Sludge*—any person who prepares sewage sludge for monetary profit or other financial consideration and either the person is not the generator of the sewage sludge or the sewage sludge was obtained from a facility or facilities not owned by or associated with the person. Commercial preparer of sewage sludge includes a pumper of sewage sludge that prepares sewage sludge received from other pumpers of sewage sludge and/or a pumper of sewage sludge that prepares sewage sludge received from his pumping/hauling operation. Commercial preparer of sewage sludge does not include a publicly owned treatment works or a privately owned sanitary wastewater treatment facility which does not receive hauled sewage sludge.

\* \* \*

*Surface Disposal*—a use or disposal of sewage sludge on the land that does not meet the criteria of *land application*, as defined in this Subsection. Surface disposal does not include the disposal of sewage sludge in a landfill permitted to receive sewage sludge.

\* \* \*

C. Compliance Period

1. – 2. ...

3. Compliance with Requirements

a. Unless otherwise specified in LAC 33:IX.7311, compliance with the requirements in LAC 33:IX.7311.B, ~~beginning with the definition of average daily concentration through the definition of wet scrubber~~, LAC 33:IX.7311.D.3, 4, and 5, F.5, 6, 7, 8.d, and 10, G.1.a and c, G.3, and H.2.e shall be achieved as expeditiously as practicable, but in no case later than September 5, 2000. When new pollution control facilities must be constructed to comply with the revised requirements in LAC 33:IX.7311, compliance with the revised requirements shall be achieved as expeditiously as practicable, but no later than September 4, 2001.

b. – b.iii. ...

D. Permits and Permitting Requirements

1. – 1.b.iv. ...

v. All minor sanitary wastewater treatment facilities that do not receive domestic septage and/or portable toilet waste into their systems shall apply for a permit as expeditiously as practicable, but in no case later than ~~five years from June 1, 2006~~ January 1, 2013.

c. ...

d. A person who prepares sewage sludge or land-applies biosolids shall use the appropriate Sewage Sludge and Biosolids Use or Disposal Permit application form. The owner/operator of a sewage sludge incinerator shall apply for a permit in accordance with LAC 33:III.Chapter 5 and shall utilize both the Air Quality Permit Application and the sewage sludge and biosolids use or disposal permit application forms. The forms can be accessed through the department's website or by contacting the Office of Environmental Services.

1.e. – 3.b. ...

4. ~~Closure requirements for sanitary wastewater treatment facilities that were utilized for the preparation of sewage sludge or for sewage sludge disposal ponds/lagoons/surface impoundments that must comply with the requirements of Subparagraph C.3.b of this Section, are as follows.~~ Closure of oxidation ponds, lagoons, and/or surface impoundments utilized for sewage sludge disposal, preparation of sewage sludge, or treatment of sanitary wastewater must comply with the following:

a. – b.i.(c). ...

- (d). sampling and analysis for the following parameters:
  - (i). toxicity characteristics leaching procedure (TCLP) and the presence of PCBs;
  - (ii). ~~liquid~~-paint filter liquids test; and
  - (iii). ...
- (e). either a schematic drawing or an aerial photograph that indicates where the samples for the parameters in Subclause D.4.b.i.(d) of this Section ~~will be~~were taken in the facility;
- (f). the laboratory methods ~~to be~~ utilized for the sampling and analysis of the parameters in Subclause D.4.b.i.(d) of this Section;
- (g). the name of the laboratory where the samples for the parameters in Subclause D.4.b.i.(d) of this Section ~~will be~~were analyzed;

b.i.(h). – c. ...

5. Environmental ~~Impact Supplementary Information~~Assessment Statement. In addition to the requirements of this Chapter, all Sewage Sludge and Biosolids Use or Disposal Permit application forms for a new permit for a commercial preparer of sewage sludge or a major modification to a permit for a commercial preparer of sewage sludge must include a response to each of the following:

a. – e. ...

E. Sewage Sludge Disposed in a Landfill

1. – 2. ...

3. The person who prepares sewage sludge that is disposed in a landfill shall provide the following to the Office of Environmental Services ~~on an annual basis~~on a form specified by the administrative authority on or before February 19 of each year, or at a frequency designated in the permit:

a. ...

b. ~~copies of all records~~ results of sampling and laboratory analyses of the sewage sludge for hazardous characteristics or the presence of PCBs, of the results of the ~~Liquid Paint Filter~~ Paint Filter Liquids Test (if required in the permit), and of any other analysis required by the owner/operator of the landfill.

F. ~~Registration Requirements and Standards for Transporters of Sewage Sludge Who Are Not Required to Obtain a Permit Under LAC 33:IX.7301.D.1 and Standards for Vehicles and/or Containers Used in the Transport of Sewage Sludge~~

1. Registration Requirements

a. A transporter of sewage sludge and/or grease mixed with sewage sludge ~~who is not required to obtain a permit under Paragraph D.1 of this Section~~ shall not transport any sewage sludge and/or grease mixed with sewage sludge without first registering such activity with the Office of Environmental Services in writing and paying all associated fees.

b. ...

c. The registration period shall be for one state fiscal year period of July 1 to June 30. All registrations shall expire on June 30 of each year. If a person wishes to continue the operation of transporting sewage sludge, he or she shall apply for re-registration to the Office of Environmental Services ~~at least 60 days prior to June 30~~ on or before May 1 of each year.

d. – e.ii. ...

2. Standards for All Transporters of Sewage Sludge

a. – a.v. ...

b. Transporters of sewage sludge and/or grease mixed with sewage sludge shall provide a summary of the information required in Subparagraph F.2.a. of this Section to the Office of Environmental Services on or before February 19 of each year on a form specified by the administrative authority.

~~b.c.~~ Standards Applicable to Vehicles and/or Containers Used to Transport Sewage Sludge

i. The bodies of vehicles and/or containers transporting sewage sludge must be covered at all times, except during loading and unloading, in a manner that prevents

rain from reaching the sewage sludge, inhibits access by disease vectors, prevents the sewage sludge from falling or blowing from the vehicle and/or container, minimizes escape of odors, and does not create a nuisance.

ii. The bodies of vehicles and/or containers that are utilized to transport liquefied sewage sludge or a sewage sludge that is capable of producing a leachate shall be constructed and/or enclosed with an appropriate material that will completely prevent the leakage or spillage of the liquid.

iii. The exterior and interior of the body of a vehicle and/or container that is transporting sewage sludge shall be washed ~~down~~, at a designated washdown area, as often as needed to ensure against accumulation of sewage sludge and/or biosolids, and for the prevention of odors and disease vector attraction.

iv. The vehicle and/or container washdown area shall be designed, constructed, and operated to prevent groundwater contamination and stormwater run-on and runoff.

v. All water and leachate generated at the designated washdown area shall be contained and discharged in accordance with all applicable state and federal regulations or hauled off-site for proper treatment and/or disposal.

ed. Standards for Sewage Sludge Pipelines and Containment Areas

i. – ii. ...

de. Other Standards. The administrative authority may provide appropriate standards for transporters of sewage sludge that utilize modes of transportation not covered by Subparagraphs F.2.bc and ed of this Section.

ef. These regulations do not relieve the transporter from the responsibility of complying with other applicable regulations and licensing requirements, including, but not limited to, those of the Louisiana Department of Transportation and Development, and with applicable ordinances governing types, sizes, and weights of vehicles used to transport sewage sludge on roads and streets that must be traveled during the transporting of the sewage sludge and with any other applicable requirements.

G. Prohibitions, Restrictions, and Additional or More Stringent Requirements

1. – 3.c.ii. ...

iii. the location, by either street address (physical address) or latitude and longitude, ~~of the land~~ where the sewage sludge or biosolids will be stored;

iv. an explanation of why the sewage sludge or biosolids need to ~~remain on the land~~ be stored for longer than a six month period;

v. ...

vi. the approximate date and length of time the sewage sludge or biosolids will be stored ~~on the land;~~ and

c.vii. – d. ...

i. If the information is deemed incomplete, the administrative authority shall issue a notice of deficiency. The ~~commercial~~ preparer or land applier of sewage sludge shall have 45 days, thereafter, to respond to the notice of deficiency.

G.3.d.ii. – I.2.k. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2074(B)(1)(c) and (B)(3)(e).

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Environmental Assessment, Environmental Planning Division, LR 28:781 (April 2002), repromulgated LR 30:233 (February 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2516 (October 2005), LR 33:2366 (November 2007), repromulgated LR 34:1028 (June 2008), amended LR 35:927 (May 2009), LR 37:\*\*.

**§7303. Land Application**

A. – K.2.b. ...

i. For facilities having a frequency of monitoring in Table 1 of LAC 33:IX.7303.I of once per year, the reporting period and the report due date shall be as specified in Table 1 of LAC 33:IX.7303.K.

<b>Table 1 of LAC 33:IX.7303.K</b>
<b>Reporting—Land Application</b>

<b>Monitoring Period (Once per Year)</b>	<b>Report Due Date</b>
January - December	February 28 <sup>19</sup>

ii. For facilities having a frequency of monitoring in Table 1 of LAC 33:IX.7303.I of once per quarter (four times per year), the reporting period and the report due date shall be as specified in Table 2 of LAC 33:IX.7303.K.

<b>Table 2 of LAC 33:IX.7303.K</b>	
<b>Reporting—Land Application</b>	
<b>Monitoring Period<sup>1</sup> (Once per Quarter)</b>	<b>Report Due Date</b>
January, February, March	August 28 <sup>19</sup>
April, May, June	
July, August, September	February 28 <sup>19</sup>
October, November, December	
<sup>1</sup> Separate reports must be submitted for each monitoring period.	

iii. For facilities having a frequency of monitoring in Table 1 of LAC 33:IX.7303.I of once per 60 days (six times per year), the reporting period and the report due date shall be as specified in Table 3 of LAC 33:IX.7303.K.

<b>Table 3 of LAC 33:IX.7303.K</b>	
<b>Reporting—Land Application</b>	
<b>Monitoring Period<sup>1</sup> (Once per 60 Days)</b>	<b>Report Due Date</b>
January, February	June 28 <sup>19</sup>
March, April	

<b>Table 3 of LAC 33:IX.7303.K</b>	
<b>Reporting—Land Application</b>	
<b>Monitoring Period<sup>1</sup> (Once per 60 Days)</b>	<b>Report Due Date</b>
May, June	October 28 <sup>19</sup>
July, August	
September, October	February 28 <sup>19</sup>
November, December	
<sup>1</sup> Separate reports must be submitted for each monitoring period.	

iv. For facilities having a frequency of monitoring in Table 1 of LAC 33:IX.7303.I of once per month (12 times per year), the reporting period and the report due date shall be as specified in Table 4 of LAC 33:IX.7303.K.

<b>Table 4 of LAC 33:IX.7303.K</b>	
<b>Reporting—Land Application</b>	
<b>Monitoring Period<sup>1</sup> (Once per Month)</b>	<b>Report Due Date</b>
January	May 28 <sup>19</sup>
February	
March	
April	August 28 <sup>19</sup>
May	
June	
July	November 28 <sup>19</sup>
August	
September	
October	February 28 <sup>19</sup>
November	



<b>Table 4 of LAC 33:IX.7303.K</b>	
<b>Reporting—Land Application</b>	
<b>Monitoring Period<sup>1</sup></b> <b>(Once per Month)</b>	<b>Report Due</b> <b>Date</b>
December	
<sup>1</sup> Separate reports must be submitted for each monitoring period.	

K.3. – L.10. ...

a. For facilities having a frequency of monitoring in Table 1 of LAC 33:IX.7303.L of once per quarter (four times per year), the reporting periods and the report due dates shall be as specified in Table 2 of LAC 33:IX.7303.L.

<b>Table 2 of LAC 33:IX.7303.L</b>	
<b>Reporting—Exceptional Quality Biosolids</b>	
<b>Monitoring Period<sup>1</sup></b> <b>(Once per Quarter)</b>	<b>Report Due</b> <b>Date</b>
January, February, March	August <del>28</del> <u>19</u>
April, May, June	
July, August, September	February <del>28</del> <u>19</u>
October, November, December	
<sup>1</sup> Separate reports must be submitted for each monitoring period.	

b. For facilities having a frequency of monitoring in Table 1 of LAC 33:IX.7303.L of once per month (12 times per year), the reporting periods and the report due dates shall be as specified in Table 3 of LAC 33:IX.7303.L.

<b>Table 3 of LAC 33:IX.7303.L</b>
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<b>Reporting—Exceptional Quality Biosolids</b>	
<b>Monitoring Period<sup>1</sup> (Once per Month)</b>	<b>Report Due Date</b>
January	May <del>28</del> <u>19</u>
February	
March	
April	August <del>28</del> <u>19</u>
May	
June	
July	November <del>28</del> <u>19</u>
August	
September	
October	February <del>28</del> <u>19</u>
November	
December	
<sup>1</sup> Separate reports must be submitted for each monitoring period.	

M. – N. ...

1. If a person who possesses a Sewage Sludge and Biosolids Use or Disposal Permit wishes to add a land application site or sites to the permit, the person shall submit a request package to the administrative authority at least 180 days prior to the anticipated date by which authorization is needed containing the following information:

1.a. – 3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2074(B)(1)(c) and (B)(3)(e).

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Environmental Assessment, Environmental Planning Division, LR 28:785 (April 2002), repromulgated LR 30:233 (February 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 33:2374 (November 2007), LR 35:929 (May 2009), LR 37:\*\*.

### §7305. Siting and Operation Requirements for Commercial Preparers of Sewage Sludge

A. Exemptions. ~~A publicly owned treatment works (POTW), as defined in LAC 33:IX.7301.B, shall be exempted from the siting requirements in Subsection B of this Section and the facility closure requirements in Paragraph C.3 of this Section if the POTW prepares only sewage sludge generated at the POTW or sewage sludge generated at a facility that is owned or operated by the POTW and the POTW's sewage sludge treatment facility is located within the POTW's boundary or perimeter.~~

1. A publicly owned treatment works (POTW), as defined in LAC 33:IX.7301.B, shall be exempted from the siting requirements in Subsection B of this Section and the facility closure requirements in Paragraph C.3 of this Section if the POTW prepares only sewage sludge generated at the POTW or sewage sludge generated at a facility that is owned or operated by the POTW and the POTW's sewage sludge treatment facility is located within the POTW's boundary or perimeter.

2. An existing facility that has been issued a Sewage Sludge and Biosolids Use or Disposal Permit shall be exempted from the siting requirements in Subsection B of this Section.

B. – B.4.b. ...

c. A design for surfacing natural soils that do not meet the requirements in Subparagraphs B.4.a and b of this Section shall be prepared under the supervision of a ~~registered engineer~~professional engineer, licensed in the state of Louisiana with expertise in geotechnical engineering and geohydrology. Written certification by the engineer that the surface satisfies the requirements of Subparagraphs B.4.a and b of this Section shall be provided.

5. Facility Plans and Specifications. Facility plans and specifications represented and described in the permit applications or permit modifications for all facilities must be prepared under the supervision of, and certified by, a ~~registered engineer~~professional engineer, licensed in the state of Louisiana.

6. Notification of Completion. Within 10 days of completion of the facility or completion of a facility modification, the owner of the facility shall submit ~~to the administrative authority:~~ a notification of completion to the administrative authority. The notification of completion shall include a certification statement by a professional engineer, licensed in the state of

Louisiana, that the facility meets the plans and specifications as described in the Sewage Sludge and Biosolids Use or Disposal Permit application.

a. ~~notification of completion; and~~

b. ~~a site inspection request.~~

7. Initial Start-Up Inspection

a. Upon issuance of a permit or modification to an existing facility, or construction of a newly permitted facility, a start-up inspection may be made after the permit holder submits the notification of completion and construction certification to the administrative authority.

b. Upon renewal of an existing permit where no physical changes are required, no certification of construction shall be required to be submitted, and no start-up inspection shall be initiated. The owner of the facility may continue use of the facility upon the effective date of the renewal permit.

c. If the administrative authority determines a start-up inspection is required pursuant to Subparagraph B.7.a of this Section, the start-up inspection shall be initiated within 15 working days of receipt of certification by the Office of Environmental Services unless a longer time period is set by mutual agreement.

d. Within 15 working days after a new, existing, or modified facility has undergone an initial start-up inspection, or within 30 days of receipt of the construction certification, the administrative authority shall either issue an approval of the construction or a notice of deficiency to the permittee, unless a longer time period is set by mutual agreement.

C. – C.3.e. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2074(B)(1)(c) and (B)(3)(e).

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Environmental Assessment, Environmental Planning Division, LR 28:794 (April 2002), repromulgated LR 30:233 (February 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2516 (October 2005), LR 33:2382 (November 2007), LR 35:930 (May 2009), LR 37: \*\*.

**§7307. Financial Assurance Requirements for Commercial Preparers of Sewage Sludge and Commercial Land Appliers of Biosolids**

A. – E.2.i.i.(d).(v). ...

ii. Public Notice Component. The local government affected person must place a reference to the closure costs assured through the financial test into its next comprehensive annual financial report (CAFR) after the effective date of this Section or prior to the initial receipt of sewage sludge, other feedstock, or supplements at the facility, whichever is later. Disclosure must include the nature and source of closure requirements, the reported liability at the balance sheet date, and the estimated total closure cost remaining to be recognized, ~~the percentage of landfill capacity used to date, and the estimated landfill life in years.~~ For closure costs, conformance with *Governmental Accounting Standards Board Statement 18* assures compliance with this public notice component.

E.2.i.iii. – F.2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2074(B)(1)(c) and (B)(3)(e).

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Environmental Assessment, Environmental Planning Division, LR 28:796 (April 2002), repromulgated LR 30:233 (February 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2516 (October 2005), LR 33:2386 (November 2007), LR 35:931 (May 2009) , LR 37: \*\*.