

7041.0600 REQUIREMENT TO OBTAIN PERMITS AND SITE APPROVAL.

Subpart 1. **Permits for inclusion of the sewage sludge requirements.** A NPDES or SDS permit which includes sewage sludge requirements must be applied for and obtained from the agency by persons specified in items A to C. Persons who do not have a permit must apply for and obtain a permit before land applying or distributing sewage sludge for application to the land. Permit application requirements are set out in part 7041.0700.

A. Persons who prepare sewage sludge in Minnesota. For persons who have NPDES or SDS permits issued by the agency, the requirements for sewage sludge shall be incorporated into those permits when they are reissued unless the requirements are included in a separate permit or modification of a permit at the request of a permittee. Information required in part 7041.0700 shall be submitted with an application to obtain, renew, or modify a permit.

B. Persons who prepare sewage sludge in another state which is applied to the land or distributed for application to the land in Minnesota, unless the person who prepares the sewage sludge produces exceptional quality sewage sludge or sewage sludge that is sold or given away in a bag or other container and has a permit issued by another state or EPA which includes the requirements for its preparation.

If a permit from the agency is not required, the person who prepares the sewage sludge must obtain written approval of a management plan from the commissioner before the sewage sludge is distributed or applied to the land. The plan must include the information in part 7041.0700, item I. An approved management plan shall be enforceable to the same extent and the same manner as a permit.

C. Persons who prepare sewage sludge which is applied to the land or distributed for application to the land in Minnesota who propose methods to utilize sewage sludge which are not addressed by this chapter.

Subp. 2. **Permits for sewage sludge storage.** Persons who store bulk sewage sludge or construct storage for bulk sewage sludge at locations other than at a permitted wastewater treatment facility must apply for and obtain a NPDES or SDS permit from the agency prior to storage or construction. Persons who have permits may apply to have their permits modified to include conditions for storage or construction of storage. Permit application requirements are set out in part 7041.0700. A permit is not required for:

A. short-term or approved long-term storage of dewatered bulk sewage sludge at a land application site; or

B. storage of dewatered bulk exceptional quality sewage sludge when:

(1) the storage meets the requirements in part 7041.0400, subpart 3;

(2) the storage is at a facility permitted under Minnesota Statutes, section 18C.305, for fertilizer;

(3) the storage is located at public contact sites, plant nurseries, turf farms, or other locations where it is used for landscaping or horticultural purposes; or

(4) it is stored by persons using it for landscaping or horticultural purposes.

Subp. 3. **Site approval.** Persons who prepare bulk sewage sludge must obtain approval of the sites on which bulk sewage sludge is applied before it is applied unless it is exceptional quality sewage sludge. Application procedures are set out in part 7041.0800.

Statutory Authority: *MS s 116.07*

History: *21 SR 1642*

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