

7041.1600 RECORD KEEPING.

Subpart 1. **General requirements.** A record keeping system must be initiated and maintained by the person who prepares sewage sludge. Records required to be kept by an applicator who is different than the preparer must be supplied to the preparer for record keeping purposes.

Subp. 2. **Exceptional quality sewage sludge.** The preparer of exceptional quality sewage sludge applied to the land either in bulk or sold or given away in a bag or other container must develop and retain the following information for five years:

A. the concentration of each parameter listed in part 7041.1500, subpart 2, items A to E;

B. the following certification statement:

"I certify, under penalty of law, that the information that will be used to determine compliance with the Class A pathogen requirements in Minnesota Rules, part 7041.1300, subpart 2, and the vector attraction reduction requirement in [insert one of the vector attraction reduction requirements in Minnesota Rules, part 7041.1400, subpart 2, items A to H] has been prepared under my direction and supervision in accordance with the system designed to ensure that qualified personnel properly gather and evaluate the information used to determine that the pathogen requirements and vector attraction reduction requirements have been met. I am aware that there are significant penalties for false certification including the possibility of fine and imprisonment.";

C. a description of how the Class A pathogen requirements in part 7041.1300, subpart 2, are met;

D. a description of how one of the vector attraction reduction requirements in part 7041.1400, subpart 2, items A to H, is met;

E. a copy of written information required to be given as required in part 7041.0400, subpart 3; and

F. the quantity of exceptional quality sewage sludge provided to distributors or users if supplied in bulk and the quantity sold or given away in a bag or other container per 365-day period.

Subp. 3. **Other Class A and Class B bulk sewage sludge.** The preparer of other Class A and Class B bulk sewage sludge that is applied to the land must develop and retain the information in items A to G and subpart 5 for five years and the information in items H to N indefinitely.

A. The concentration of each parameter listed in part 7041.1500, subpart 2, items A to E.

B. The following certification statement:

"I certify, under penalty of law, that the information that will be used to determine compliance with the pathogen requirements in Minnesota Rules, part 7041.1300, subpart 2, [insert if Class A requirements are met] or Minnesota Rules, part 7041.1300, subpart 3, [insert if Class B requirements are met] and the vector attraction reduction requirement in [insert one of the vector attraction reduction requirements in Minnesota Rules, part 7041.1400, subpart 2, items A to H, if one of those requirements is met] has been prepared under my direction and supervision according to the system designed to ensure that qualified personnel properly gather and evaluate the information used to determine that the pathogen requirements [and vector attraction reduction requirements, if applicable] have been met. I am aware that there are significant penalties for false certification including the possibility of fine and imprisonment."

C. A description of how the Class A or Class B pathogen requirement is met.

D. A description of how one of the vector attraction reduction requirements in part 7041.1400, subpart 2, items A to J, is met.

E. A record of soil test data as required by part 7041.0800, site approvals, or permits.

F. The maximum available nitrogen application rate based on the realistic yield goal and vegetation grown on the site during the cropping year.

G. The known amount of available nitrogen applied during the cropping year from all sources expressed in terms of pounds per acre.

H. The location of the land application and stockpile sites on a United States Geological Survey quadrangle or soil survey map.

I. The legal description of the land application site and the number of acres to which bulk sewage sludge was applied.

J. The amount of bulk sewage sludge applied that cropping year and cumulatively expressed in terms of tons of sewage sludge solids per acre.

K. The amount of arsenic, cadmium, copper, lead, mercury, molybdenum, nickel, selenium, and zinc applied that cropping year and cumulatively expressed in terms of pounds per acre.

L. The date bulk sewage sludge is applied to each site.

M. The following certification statement:

"I certify, under penalty of law, that the information that will be used to determine compliance with the requirements to obtain information in Minnesota Rules, part 7041.1000, subpart 2, item B, has been prepared for each site on which bulk sewage sludge

is applied under my direction and supervision according to the system designed to ensure that qualified personnel properly gather and evaluate the information used to determine that the requirements to obtain information have been met. I am aware that there are significant penalties for false certification including fine and imprisonment."

N. A description of how the requirements to obtain information in part 7041.1000, subpart 2, item B, are met.

Subp. 4. **Class A sewage sludge not meeting pollutant concentrations.** The person who prepares Class A sewage sludge which does not meet the pollutant concentrations in part 7041.1100, subpart 4, item C, and is sold or given away in a bag or other container for application to the land, must develop and retain the following information for five years:

A. the annual whole sludge application rate for the sewage sludge that does not cause the annual pollutant loading rates in part 7041.1100, subpart 4, item D, to be exceeded;

B. the concentration of each parameter listed in part 7041.1500, subpart 2, items A to E, in the sewage sludge;

C. the following certification statement:

"I certify, under penalty of law, that the information used to determine compliance with the labeling requirements in Minnesota Rules, part 7041.1200, subpart 9, the Class A pathogen requirement in Minnesota Rules, part 7041.1300, subpart 2, and the vector attraction reduction requirement in [insert one of the vector attraction reduction requirements in Minnesota Rules, part 7041.1400, subpart 2, items A to H] has been prepared under my direction and supervision according to the system designed to ensure that qualified personnel properly gather and evaluate the information used to determine that the management practice, pathogen requirement, and vector attraction reduction requirements have been met. I am aware that there are significant penalties for false certification including the possibility of fine and imprisonment.";

D. a description of how the Class A pathogen requirements in part 7041.1300, subpart 2, are met; and

E. a description of how one of the vector attraction reduction requirements in part 7041.1400, subpart 2, items A to H, is met.

Subp. 5. **Appliers of bulk sewage sludge.** The applier of bulk sewage sludge must provide the preparer with the information in items A and B.

A. The following certification statement:

"I certify, under penalty of law, that the information that will be used to determine compliance with the management practices in Minnesota Rules, part 7041.1200, the site restrictions in Minnesota Rules, part 7041.1300, subpart 3, item D [insert if Class B sewage sludge is applied to the land], and the vector attraction reduction requirement in [insert

Minnesota Rules, part 7041.1400, subpart 2, item I or J, if met] for each site on which bulk sewage sludge is applied has been prepared under my direction and supervision according to the system designed to ensure that qualified personnel properly gather and evaluate the information used to determine that the management practices and site restrictions have been met. I am aware that there are significant penalties for false certification including the possibility of fine and imprisonment."

B. A description of how the management practices, site restrictions, and vector attraction reduction requirements, if options in part 7041.1400, subpart 2, item I or J, are met for each site on which bulk sewage sludge was applied.

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