

WAC 173-308-160 Biosolids pollutant limits. This section sets pollutant concentration limits and cumulative pollutant loading rate limits for biosolids that are applied to the land.

(1) **Table 1.** Table 1 of this section sets the maximum allowable concentration (ceiling limit) of pollutants in biosolids that are applied to the land. Sewage sludge that contains any pollutant listed in Table 1 of this section at a concentration greater than the allowable ceiling limit is not biosolids, is a solid waste, and may not be applied to the land.

(2) **Table 2.** Table 2 of this section sets the maximum quantities of pollutants that may be added to an area of land, also referred to as the cumulative pollutant loading rate. The cumulative pollutant loading rates in Table 2 apply when the concentration of any pollutant in biosolids that are applied to the land exceeds the allowable pollutant concentration limit in Table 3 of this section.

(a) A person may not apply bulk biosolids subject to the cumulative pollutant loading rates in Table 2 of this section to a land application site, if any of those rates have been reached on the site.

(b) Before bulk biosolids subject to the cumulative pollutant loading rates in Table 2 of this section are applied to the land, the person who proposes to apply the bulk biosolids must contact the local health jurisdiction and the department to determine whether bulk biosolids subject to the cumulative pollutant loading rates were applied to the site before the effective date of this chapter.

(i) If bulk biosolids subject to the cumulative pollutant loading rates in Table 2 of this section have been applied to the site since July 20, 1993, and the cumulative amount of each pollutant applied to the site since that date is known, in addition to any amount subtracted in (b)(iii) of this subsection, the amount previously applied must be subtracted from the cumulative pollutant loading rate for each pollutant, to determine the remaining amount of pollutant that may be applied to the site.

(ii) If bulk biosolids subject to the cumulative pollutant loading rates in Table 2 of this section have been applied to the site since July 20, 1993, and the cumulative amount of each pollutant applied to the site in the bulk biosolids since that date is not known, additional biosolids subject to the cumulative pollutant loading rates in Table 2 of this section may not be applied to the site.

(iii) If bulk biosolids were applied to the site prior to July 20, 1993, and the cumulative amount of each pollutant applied to the site prior to that date can be determined, in addition to any amount subtracted in (b)(i) of this subsection, the amount applied must be subtracted from the cumulative pollutant loading rate for each pollutant, to determine the remaining amount of pollutant that may be applied to the site.

(iv) If bulk biosolids subject to the cumulative pollutant loading rates in Table 2 of this section have not been applied to the site, the cumulative amount of each pollutant listed in Table 2 of this section may be applied to the site.

(v) Any person who applies bulk biosolids to the land, which are subject to the cumulative pollutant loading rates in Table 2 of this section, must provide written notice prior to the initial application of bulk biosolids to the land. Notice must be submitted to the department, and to any local health jurisdiction in whose jurisdiction the biosolids will be applied. The department and the local health jurisdiction must retain and provide access to the notice. The notice must include the following:

(A) The location of each site, either by street address, the latitude and longitude of the approximate center, or the section, township and range of each quarter section, **and** a map(s) with the application area(s) clearly shown.

(B) The name, address, telephone number, and National Pollutant Discharge Elimination System (NPDES) or state waste discharge permit number and state biosolids permit number (if applicable) of the person who prepared the biosolids and also of the person who applies (if applicable) the bulk biosolids.

(3) **Table 3.** Table 3 of this section sets a lower pollutant concentration threshold which, when achieved, relieves the person who prepares biosolids and the person who applies biosolids, from certain requirements related to recordkeeping, reporting, and labeling.

TABLE 1 - CEILING CONCENTRATION LIMITS

POLLUTANT	CEILING CONCENTRATION milligrams per kilogram (dry weight basis)
Arsenic	75
Cadmium	85
Copper	4300
Lead	840
Mercury	57
Molybdenum	75
Nickel	420
Selenium	100
Zinc	7500

TABLE 2 - CUMULATIVE POLLUTANT LOADING RATES

POLLUTANT	CUMULATIVE POLLUTANT LOADING RATE kilograms per hectare (dry weight basis)
Arsenic	41
Cadmium	39
Copper	1500
Lead	300
Mercury	17
Nickel	420
Selenium	100
Zinc	2800

TABLE 3 - POLLUTANT CONCENTRATION LIMITS

POLLUTANT	LIMIT monthly average in milligrams per kilogram (dry weight basis)
Arsenic	41
Cadmium	39
Copper	1500
Lead	300
Mercury	17
Nickel	420

POLLUTANT	LIMIT monthly average in milligrams per kilogram (dry weight basis)
Selenium	100
Zinc	2800

[Statutory Authority: Chapters 70.95J and 70.95 RCW. WSR 07-12-010 (Order 06-06), § 173-308-160, filed 5/24/07, effective 6/24/07. Statutory Authority: RCW 70.95J.020 and 70.95.255. WSR 98-05-101 (Order 97-30), § 173-308-160, filed 2/18/98, effective 3/21/98.]