

WAC 173-308-080 Definitions. Unless the department determines that the context of the rule requires otherwise, the following definitions are applicable for the purposes of this chapter.

"Administrator" means the Administrator of the United States Environmental Protection Agency, or an authorized representative.

"Aerobic digestion" is the biochemical decomposition of organic matter in biosolids into carbon dioxide and water by microorganisms in the presence of air. Aerobic digestion does not include composting.

"Agricultural land" is land on which a food crop, feed crop, or fiber crop is grown. This includes range land and land used as pasture.

"Agronomic rate" is the biosolids application rate that provides the amount of nitrogen necessary for the optimum growth of targeted vegetation, and that will not result in the violation of applicable standards or requirements for the protection of ground or surface water as established under chapter 90.48 RCW and related rules including chapters 173-200 and 173-201A WAC.

"Anaerobic digestion" is the biochemical decomposition of organic matter in biosolids into methane gas and carbon dioxide by microorganisms in the absence of air. Anaerobic digestion does not include composting.

"Apply biosolids or biosolids applied to the land" means the land application of biosolids for the purpose of beneficial use.

"Beneficial use facility" means a receiving-only facility consisting of a site or sites where biosolids from other treatment works treating domestic sewage are applied to the land for beneficial use, which has been permitted as a treatment works treating domestic sewage in accordance with the provisions of WAC 173-308-310, and that has been designated as a beneficial use facility through the permitting process.

"Beneficial use of biosolids" means the application of biosolids to the land for the purposes of improving soil characteristics including tilth, fertility, and stability to enhance the growth of vegetation consistent with protecting human health and the environment.

"Biosolids" means municipal sewage sludge that is a primarily organic, semisolid product resulting from the wastewater treatment process, that can be beneficially recycled and meets all applicable requirements under this chapter. Biosolids includes a material derived from biosolids, and septic tank sludge, also known as septage, that can be beneficially recycled and meets all applicable requirements under this chapter. For the purposes of this rule, semisolid products include biosolids or products derived from biosolids ranging in character from mostly liquid to fully dried solids.

"Biosolids sold or given away in a bag or other container" means biosolids sold or given away to the general public in a bag or other container holding less than 1 metric ton (1.1 U.S. tons).

"Bulk biosolids" means biosolids that are not sold or given away in a bag or other container for application to the land.

"Ceiling concentration" means the maximum concentration of a pollutant in any biosolids sample, beyond which level the biosolids would be classified as sewage sludge not suitable for application to the land. Ceiling concentrations are established in Table 1 of WAC 173-308-160.

"Class I biosolids management facility" is any publicly owned treatment works (POTW), as defined in 40 C.F.R. 501.2, required to have an approved pretreatment program under 40 C.F.R. 403.8(a) (including any POTW located in a state that has elected to assume local

program responsibilities under 40 C.F.R. 403.10(e)), and any treatment works treating domestic sewage, as defined in 40 C.F.R. 122.2, classified as a Class I biosolids management facility by the EPA Regional Administrator, or in the case of approved state programs, the Regional Administrator in conjunction with the state director, because of the potential for its biosolids use or disposal practice to affect public health and the environment adversely.

"Clean Water Act" or **"CWA"** means the Clean Water Act or Federal Clean Water Act (FCWA) (formerly referred to as either the Federal Water Pollution Act or the Federal Water Pollution Control Act Amendments of 1972), Public Law 92-500, as amended by Public Law 95-217, Public Law 95-576, Public Law 96-483, Public Law 97-117, and Public Law 100-4.

"Composting" means the biological degradation of organic material under controlled conditions designed to promote aerobic decomposition. This does not include the treatment of sewage sludge in a digester at a wastewater treatment plant.

"Cumulative pollutant loading rate" is the maximum amount of a pollutant that can be applied to an area of land from biosolids that exceed the pollutant concentration limits established in Table 3 of WAC 173-308-160.

"Density of microorganisms" is the number of microorganisms per unit mass of total solids (dry weight) in the biosolids.

"Department" means the Washington state department of ecology and, within the scope of its delegation, a local health jurisdiction that has been delegated authority under WAC 173-308-050.

"Director" means the director of the department of ecology or his or her authorized representative.

"Disposal on an emergency basis" means a period up to but not exceeding one year. Generally, emergency situations requiring the use of disposal facilities will normally occur as a result of inclement weather conditions at a beneficial use site, contractual or technical difficulties in the treatment, transportation, or application of the biosolids, or as a result of short term economic or administrative barriers, any and all of which are expected to be resolved within a period of one year.

"Disposal on a long-term basis" means to adopt disposal as a preferred method of management for at least five years, or for an indefinite period of time with no expectation for pursuing other management alternatives.

"Disposal on a temporary basis" means a period of more than one but less than five years. Generally, situations requiring the temporary use of disposal facilities will normally occur as a result of deficiencies in the wastewater or biosolids treatment process, or economic, administrative, or contractual constraints which cannot be resolved in less than one year.

"Domestic sewage" is waste and wastewater from humans or household operations that is discharged to or otherwise enters a treatment works.

"Dry weight basis" means calculated on the basis of having been dried at 105°C (221°F) until reaching a constant mass (i.e., essentially one hundred percent solids content).

"EPA" means the United States Environmental Protection Agency.

"Exceptional quality biosolids" means biosolids that meet the pollutant concentration limits in Table 3 of WAC 173-308-160, and at least one of the Class A pathogen reduction requirements in WAC

173-308-170, and at least one of the vector attraction reduction requirements in WAC 173-308-180.

"Facility" means a treatment works treating domestic sewage as defined in this chapter, unless the context of the rule requires otherwise. For the purposes of this chapter a facility is considered to be new if it has not been previously approved for the treatment, storage, use, or disposal of biosolids or sewage sludge.

"Feed crops" are crops produced primarily for consumption by animals.

"Fiber crops" are crops such as flax and cotton including, but not limited to, those whose parts or by-products may be consumed by humans or used in the production or preparation of food for human consumption.

"Food crops" are crops consumed by humans. These include, but are not limited to, fruits, vegetables, grains, and tobacco.

"Forest" is an area of land that is managed for the production of timber or other forest products, or for benefits such as recreation and watershed protection, and that is or will be dominated by trees under the current system of management. For the purposes of this rule, other areas of land that are not regulated as agricultural land, public contact sites, land reclamation sites, or lawns or home gardens are considered forest land.

"General permit" means a permit issued by the department in accordance with the procedures established in this chapter, to be effective in a designated geographical area, that authorizes the application of biosolids to the land or the disposal of sewage sludge in a municipal solid waste landfill, under which multiple treatment works treating domestic sewage may apply for coverage.

"Geometric mean" means the antilogarithm of the arithmetic average of the logarithms of the sample values, or the nth root of the product of n sample values.

"Groundwater" means water in a saturated zone or stratum beneath the surface of land or below a surface water body.

"Health jurisdiction" or **"local health jurisdiction"** means city, county, city-county, or district public health jurisdiction as defined in chapters 70.05, 70.08, and 70.46 RCW.

"Individual permit" means a permit issued by the department to a single treatment works treating domestic sewage in accordance with WAC 173-308-310, which authorizes the management of biosolids or sewage sludge.

"Industrial septage" or **"commercial septage"** is the contents from septic tanks or similar systems that receive wastewater generated in a commercial or industrial process. This definition includes, but is not limited to, grease trap wastes generated at restaurants and similar food service facilities.

"Industrial wastewater" or **"commercial wastewater"** is wastewater generated in a commercial or industrial process.

"Land application" is the application of biosolids to the land surface by means such as spreading or spraying, the injection of biosolids below the land surface, or the incorporation of biosolids into the soil, for the purpose of beneficial use.

"Land with a low potential for public exposure" is land that the public uses infrequently. This includes, but is not limited to, agricultural land, forest, and a reclamation site located in an unpopulated area (e.g., a strip mine located in a rural area).

"Land with a high potential for public exposure" is land that the public uses frequently. This includes, but is not limited to, a public

contact site and a reclamation site located in a populated area (e.g., a construction site located in a city).

"Local health jurisdiction" see definition of health jurisdiction.

"Manufactured inerts" means wastes such as plastic, metals, ceramics and other manufactured items that remain relatively unchanged during wastewater or biosolids treatment processes.

"Monthly average" is the arithmetic mean of all measurements taken during the month.

"Municipal sewage sludge" means sewage sludge generated from a publicly owned treatment works. For the purposes of this chapter, sewage sludge generated from the treatment of only domestic sewage in a privately owned or industrial treatment facility is considered municipal sewage sludge.

"Municipality" means a city, town, borough, county, parish, district, association, or other public body (including an inter-municipal agency of two or more of the foregoing entities) created by or under state law, or a designated and approved management agency under section 208 of the Clean Water Act, as amended. The definition includes a special district created under state law, such as a water district, sewer district, sanitary district, utility district, drainage district, or similar entity, or an integrated waste management facility as defined in section 201(e) of the Clean Water Act, as amended, that has as one of its principal responsibilities the treatment, transport, use, or disposal of biosolids.

"Nonexceptional quality biosolids" means biosolids that do not meet the criteria of "exceptional quality biosolids" as defined in this section.

"Other container" is either an open or closed receptacle. This includes, but is not limited to, a bucket, a box, a carton, and a vehicle or trailer with a load capacity of one metric ton (1.1 U.S. tons) or less.

"Owner" means any person with ownership interest in a site or facility, or who exercises control over a site or facility, but does not include a person who, without participating in management of the site or facility, holds indicia of ownership primarily to protect the person's security interest.

"Pasture" is land on which animals feed directly on feed crops such as legumes, grasses, grain stubble, or stover.

"Pathogenic organisms" are disease causing organisms. These include, but are not limited to, certain bacteria, protozoa, viruses, and viable helminth ova.

"Permit" means an authorization, license, or equivalent control document issued by the director to implement the requirements of this chapter. Unless the context requires differently, the use of the term in this chapter refers to individual permits, general permits, and coverage under general permits.

"Person" is an individual, association, partnership, corporation, municipality, state or federal agency, or an agent or employee thereof.

"Person who prepares biosolids" is either the person who generates biosolids during the treatment of domestic sewage in a treatment works or the person who derives a material from biosolids.

"pH" means the logarithm of the reciprocal of the hydrogen ion concentration.

"Place sewage sludge" or **"sewage sludge placed"** means to dispose of sewage sludge.

"Pollutant" is an organic substance, an inorganic substance, a combination of organic and inorganic substances, or a pathogenic organism that, after discharge and upon exposure, ingestion, inhalation, or assimilation into an organism either directly from the environment or indirectly by ingestion through the food chain, could, on the basis of information available to the Administrator of EPA, cause death, disease, behavioral abnormalities, cancer, genetic mutations, physiological malfunctions (including malfunction in reproduction), or physical deformations in either organisms or offspring of the organisms.

"Pollutant limit" is a numerical value that describes the amount of a pollutant allowed per unit amount of biosolids (e.g., milligrams per kilogram of total solids), the amount of a pollutant that can be applied to a unit area of land (e.g., kilograms per hectare), the volume of a material that can be applied to a unit area of land (e.g., gallons per acre), or the number of pathogens or indicator organisms per unit of biosolids. Pollutant limits are established in Tables 1 - 3 of WAC 173-308-160, in 173-308-170, and in 173-308-270.

"Public contact site" is land with a high potential for contact by the public. This includes, but is not limited to, public parks, ball fields, cemeteries, plant nurseries, turf farms, and golf courses.

"Publicly owned treatment works" means a treatment works treating domestic sewage that is owned by a municipality, the state of Washington, or the federal government.

"Range land" is generally open, uncultivated land dominated by herbaceous or shrubby vegetation that may be used for grazing or browsing, either by wildlife or livestock.

"Receiving-only facility" means a treatment works treating domestic sewage that only receives sewage sludge or biosolids from other sources for further treatment and/or application to the land, and which does not generate any biosolids from the treatment of domestic sewage.

"Reclamation site" is drastically disturbed land that is reclaimed using biosolids. This includes, but is not limited to, strip mines and construction sites.

"Regional administrator" means the Regional Administrator of Region 10 of the Environmental Protection Agency or his/her authorized representative.

"Residential equivalent value" means the number of residential equivalents determined for a facility under chapter 173-224 WAC or a value similarly obtained under WAC 173-308-320.

"Restrict public access" means to minimize access of nonessential personnel to land where biosolids are applied, through the use of natural or artificial barriers, signs, remoteness, or other means.

"Saturated zone" means the zone below the water table in which all interstices are filled with water.

"Septage" or "domestic septage" is liquid or solid material removed from septic tanks, cess pools, portable toilets, type III marine sanitation devices, vault toilets, pit toilets, RV holding tanks, or similar systems that receive only domestic sewage. Septage may also include commercial or industrial septage mixed with domestic septage if approved in accordance with the provisions in WAC 173-308-020 (3) (g).

"Septage managed as biosolids originating from sewage sludge" means septage managed as if it had originated from a sewage treatment process at a wastewater treatment facility including, but not limited to, meeting the sampling requirements in WAC 173-308-140, the monitor-

ing requirements in WAC 173-308-150, the pollutant limits in WAC 173-308-160, the pathogen reduction requirements in WAC 173-308-170, and the vector attraction reduction requirements in this chapter.

"Septage management facility" means a person who applies septage to the land or one that treats septage for application to the land.

"Sewage sludge" is solid, semisolid, or liquid residue generated during the treatment of domestic sewage in a treatment works. Sewage sludge includes, but is not limited to, domestic septage; scum or solids removed in primary, secondary, or advanced wastewater treatment processes; and a material derived from sewage sludge. Sewage sludge does not include ash generated during the firing of sewage sludge in a sewage sludge incinerator or grit and screenings generated during preliminary treatment of domestic sewage in a treatment works.

"Significant change in biosolids management practices" means, but is not limited to, the following: A change in the quality of biosolids that are applied to the land, either from class A to class B for pathogens, or from Table 3 to Table 1 of WAC 173-308-160 for pollutant limits; the addition of a new area to which biosolids will be applied which was not previously disclosed during a required public notice process; for class B biosolids only, a change from nonfood crops to food crops, a change from crops where the harvestable portions do not contact the biosolids/soil mixture to crops where the harvestable portions contact the biosolids/soil mixture, or a change in site classification from land with a low potential for public exposure to land with a high potential for public exposure; or any change or deletion of a requirement established in an approved land application plan or established as a condition of coverage under a permit that would result in a decrease in buffer size, site monitoring, or facility reporting requirements, which was not otherwise provided for in the permit or plan approval process.

"Site" means all areas of land, including buffer areas, which are identified in the scope of an approved site specific land application plan. A site is considered to be new or expanded when biosolids are applied to an area not approved in a site specific land application plan or that was not previously disclosed during a required public notice process.

"Specific oxygen uptake rate (SOUR)" is the mass of oxygen consumed per unit time per unit mass of total solids (dry weight basis) in the biosolids.

"State" means the state of Washington.

"Store or storage of biosolids or sewage sludge" is the placing of biosolids or sewage sludge on land or in surface impoundments or other containment devices in which the biosolids or sewage sludge remain for two years or less, except where a greater time period has been approved by the department. This does not include the placing of biosolids or sewage sludge on land or in surface impoundments or other containment devices for treatment or disposal.

"Stover" is the nongrain, above-ground part of a grain crop, often corn or sorghum.

"Surface impoundment" means a facility or part of a facility which is a natural topographic depression, man-made excavation, or diked area formed primarily of earthen materials (although it may be lined with man-made materials), and which is designed to hold an accumulation of liquids or sludges. The term includes holding, storage, settling, and aeration pits, ponds, or lagoons, but does not include injection wells.

"Surface waters of the state" means surface waters of the state as defined in WAC 173-201A-020.

"Tank" means a stationary device designed to contain an accumulation of liquid or semisolid materials and which is constructed primarily of nonearthen materials to provide structural support.

"Temporary, small-scale storage" is the storage of biosolids or sewage sludge for no more than thirty days in a tank holding no more than 10,000 gallons with a total on-site maximum volume of no more than 20,000 gallons.

"Total solids" are the materials in biosolids that remain as residue when the biosolids are dried at 103 to 105°C (217.4 to 221°F).

"Treat or treatment of biosolids" is the preparation of biosolids for final use or disposal. This includes, but is not limited to, thickening, stabilization, and dewatering of biosolids. This does not include storage of biosolids.

"Treatment works" is either a federally owned, publicly owned, or privately owned device or system used to treat (including recycle and reclaim) either domestic sewage or a combination of domestic sewage and industrial waste of a liquid nature.

"Treatment works treating domestic sewage" means a publicly owned treatment works or any other sewage sludge or wastewater treatment devices or systems, regardless of ownership, used in the storage, treatment, recycling, and reclamation of municipal or domestic sewage or sewage sludge, including land dedicated for the disposal of sewage sludge. Treatment works treating domestic sewage also includes beneficial use facilities and septage management facilities as defined in this section, and a person, site, or facility designated as a treatment works treating domestic sewage in accordance with WAC 173-308-310 (1)(b). This definition does not include septic tanks or similar devices or temporary, small-scale storage as defined in this section.

"Unstabilized solids" are organic materials in biosolids that have not been treated in either an aerobic or anaerobic treatment process.

"Vector attraction" is the primarily odorous characteristic of biosolids that attracts rodents, flies, mosquitoes, or other organisms capable of transporting infectious agents.

"Volatile solids" is the amount of the total solids in biosolids that are lost when the biosolids are combusted at 550°C (1,022°F) in the presence of excess air.

"Waters of the state" means waters of the state as defined in RCW 90.48.020.

"Wetlands" means those areas that are inundated or saturated by surface water or groundwater at a frequency and duration to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

[Statutory Authority: Chapters 70.95J and 70.95 RCW. WSR 07-12-010 (Order 06-06), § 173-308-080, 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), § 173-308-080, filed 2/18/98, effective 3/21/98.]