

WSR 22-12-091

DEPARTMENT OF ECOLOGY

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**Notice of Final Statewide General Permit for Biosolids Management**

The department of ecology will issue the final statewide general permit for biosolids management on June 15, 2022, that will replace the expired general permit, and will go into effect on July 15, 2022. This general permit is the primary regulatory mechanism in Washington for approving the final use or disposal of biosolids.

A copy of the final general permit, permit applications for coverage, and other associated documents can be found at <https://ecology.wa.gov/Waste-Toxics/Reducing-recycling-waste/Biosolids/Learn-about/permit-actions>, or by requesting from the contact listed below.

The general permit will apply to all treatment works treating domestic sewage in the state.

This includes:

- Publicly owned wastewater treatment plants;
- Privately owned wastewater treatment plants that treat only domestic sewage;
- Composting facilities and other separate treatment facilities that use biosolids as a feedstock;
- Biosolids beneficial use facilities; and
- Septage management facilities.

Regulated activities include production, treatment, storage, transferring, beneficial use, and disposal of biosolids. Beneficial uses include application to the land (including septage from onsite wastewater treatment systems and similar devices), and selling or giving away biosolids or products derived from biosolids such as compost and soil products.

The general permit is applicable within the jurisdiction of the state of Washington. Facilities on federal lands and Washington tribal lands that manage biosolids wholly within their jurisdiction are not subject to this permit. Facilities on federal and Washington tribal lands, and those located in other states or countries that transport biosolids into the jurisdiction of the state of Washington are subject to state program requirements, may be required to pay a fee, and may or may not require coverage under the permit, depending on the reason for exporting biosolids.

Three hundred and seventy-five facilities submitted a notice of intent to apply for coverage under the new general permit. A list of the facilities including what permit section(s) they are subject to can be found at <https://ecology.wa.gov/Waste-Toxics/Reducing-recycling-waste/Biosolids/Learn-about/permit-actions>.

Permit application requirements differ depending upon the coverage required. Some existing facilities (those without active management programs) will have automatic final coverage on the effective date of the permit (July 15, 2022). Other facilities must submit a complete permit application within 90 days of the issuance of the general permit, and are subject to further review, and potentially additional or more stringent requirements following evaluation of their permit application. All facilities that started operations after September 4, 2020, are required to submit a complete permit application within 90 days of the issuance of the general permit, and comply with any State Environmental Policy Act and public notice requirements. Facilities that have met all these requirements are "provisionally" ap-

proved for coverage under the general permit. Each active management facility's application and biosolids program operations will receive a full review prior to issuing "final" approval of coverage.

Ecology previously sought public comments on the draft general permit for biosolids management two separate times. The first instance public comments were sought was on a tentative decision to issue a new general permit. The comment period ended on January 24, 2020. Ecology received 25 comments. A response to comments can be found at <https://apps.ecology.wa.gov/publications/SummaryPages/2007017.html>.

The second instance public comments were sought was on the draft statewide general permit. The comment period ended July 12, 2021. Ecology received 146 comments. A copy of the response to comments can be found at <https://ecology.wa.gov/Waste-Toxics/Reducing-recycling-waste/Biosolids/Learn-about/permit-actions>, or by requesting from the contact listed below. An explanation of any changes made to the final general permit, other than editing changes, based on feedback received, and the principal reasons for adopting the changes can be found at the start of the response to comments.

The terms and conditions of the general permit may be appealed. Any appeal must be filed with the pollution control hearings board and served on ecology on or before July 15, 2022. More information about the appeals process can be found at <https://apps.ecology.wa.gov/publications/documents/1710007.pdf>.

Ecology is maintaining an interested parties list for anyone who wants to be informed about the general permit process. To be included on the list, subscribe at <https://bit.ly/biosolidslist>.

For more information and assistance, please contact Emily Kijowski, Acting Statewide Biosolids Coordinator, Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600, email [emily.kijowski@ecy.wa.gov](mailto:emily.kijowski@ecy.wa.gov), phone 360-789-6592. Physical address: 300 Desmond Drive S.E., Lacey, WA 98503.