

university programs, to make sound professional judgments regarding ground-water monitoring, pollutant fate and transport, and corrective action.

(m) *Seismic impact zone* is an area that has a 10 percent or greater probability that the horizontal ground level acceleration of the rock in the area exceeds 0.10 gravity once in 250 years.

(n) *Sewage sludge unit* is land on which only sewage sludge is placed for final disposal. This does not include land on which sewage sludge is either stored or treated. Land does not include waters of the United States, as defined in 40 CFR 122.2.

(o) *Sewage sludge unit boundary* is the outermost perimeter of an active sewage sludge unit.

(p) *Surface disposal site* is an area of land that contains one or more active sewage sludge units.

(q) *Unstable area* is land subject to natural or human-induced forces that may damage the structural components of an active sewage sludge unit. This includes, but is not limited to, land on which the soils are subject to mass movement.

[58 FR 9387, Feb. 19, 1993, as amended at 64 FR 42570, Aug. 4, 1999]

§ 503.22 General requirements.

(a) No person shall place sewage sludge on an active sewage sludge unit unless the requirements in this subpart are met.

(b) An active sewage sludge unit located within 60 meters of a fault that has displacement in Holocene time; located in an unstable area; or located in a wetland, except as provided in a permit issued pursuant to either section 402 or 404 of the CWA, shall close by March 22, 1994, unless, in the case of an active sewage sludge unit located within 60 meters of a fault that has displacement in Holocene time, otherwise specified by the permitting authority.

(c) The owner/operator of an active sewage sludge unit shall submit a written closure and post closure plan to the permitting authority 180 days prior to the date that the active sewage sludge unit closes. The plan shall describe how the sewage sludge unit will be closed and, at a minimum, shall include:

(1) A discussion of how the leachate collection system will be operated and maintained for three years after the sewage sludge unit closes if the sewage sludge unit has a liner and leachate collection system.

(2) A description of the system used to monitor for methane gas in the air in any structures within the surface disposal site and in the air at the property line of the surface disposal site, as required in § 503.24(j)(2).

(3) A discussion of how public access to the surface disposal site will be restricted for three years after the last sewage sludge unit in the surface disposal site closes.

(d) The owner of a surface disposal site shall provide written notification to the subsequent owner of the site that sewage sludge was placed on the land.

[58 FR 9387, Feb. 19, 1993, as amended at 64 FR 42570, Aug. 4, 1999]

§ 503.23 Pollutant limits (other than domestic septage).

(a) Active sewage sludge unit without a liner and leachate collection system.

(1) Except as provided in § 503.23 (a)(2) and (b), the concentration of each pollutant listed in Table 1 of § 503.23 in sewage sludge placed on an active sewage sludge unit shall not exceed the concentration for the pollutant in Table 1 of § 503.23.

TABLE 1 OF § 503.23—POLLUTANT CONCENTRATIONS—ACTIVE SEWAGE SLUDGE UNIT WITHOUT A LINER AND LEACHATE COLLECTION

Pollutant	Concentration (milligrams per kilograms ¹)
Arsenic	73
Chromium	600
Nickel	420

¹ Dry weight basis.

(2) Except as provided in § 503.23(b), the concentration of each pollutant listed in Table 1 of § 503.23 in sewage sludge placed on an active sewage sludge unit whose boundary is less than 150 meters from the property line of the surface disposal site shall not exceed the concentration determined using the following procedure.

(i) The actual distance from the active sewage sludge unit boundary to

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the property line of the surface disposal site shall be determined.

(ii) The concentration of each pollutant listed in Table 2 of § 503.23 in the sewage sludge shall not exceed the concentration in Table 2 of § 503.23 that corresponds to the actual distance in § 503.23(a)(2)(i).

TABLE 2 OF § 503.23—POLLUTANT CONCENTRATIONS—ACTIVE SEWAGE SLUDGE UNIT WITHOUT A LINER AND LEACHATE COLLECTION SYSTEM THAT HAS A UNIT BOUNDARY TO PROPERTY LINE DISTANCE LESS THAN 150 METERS

Unit boundary to property line Distance (meters)	Pollutant concentration ¹		
	Arsenic (mg/kg)	Chromium (mg/kg)	Nickel (mg/kg)
0 to less than 25	30	200	210
25 to less than 50	34	220	240
50 to less than 75	39	260	270
75 to less than 100	46	300	320
100 to less than 125	53	360	390
125 to less than 150	62	450	420

¹ Dry weight basis.

(b) Active sewage sludge unit without a liner and leachate collection system—site-specific limits.

(1) At the time of permit application, the owner/operator of a surface disposal site may request site-specific pollutant limits in accordance with § 503.23(b)(2) for an active sewage sludge unit without a liner and leachate collection system when the existing values for site parameters specified by the permitting authority are different from the values for those parameters used to develop the pollutant limits in Table 1 of § 503.23 and when the permitting authority determines that site-specific pollutant limits are appropriate for the active sewage sludge unit.

(2) The concentration of each pollutant listed in Table 1 of § 503.23 in sewage sludge placed on an active sewage sludge unit without a liner and leachate collection system shall not exceed either the concentration for the pollutant determined during a site-specific assessment, as specified by the permitting authority, or the existing concentration of the pollutant in the sewage sludge, whichever is lower.

§ 503.24 Management practices.

(a) Sewage sludge shall not be placed on an active sewage sludge unit if it is

likely to adversely affect a threatened or endangered species listed under section 4 of the Endangered Species Act or its designated critical habitat.

(b) An active sewage sludge unit shall not restrict the flow of a base flood.

(c) When a surface disposal site is located in a seismic impact zone, an active sewage sludge unit shall be designed to withstand the maximum recorded horizontal ground level acceleration.

(d) An active sewage sludge unit shall be located 60 meters or more from a fault that has displacement in Holocene time, unless otherwise specified by the permitting authority.

(e) An active sewage sludge unit shall not be located in an unstable area.

(f) An active sewage sludge unit shall not be located in a wetland, except as provided in a permit issued pursuant to section 402 or 404 of the CWA.

(g)(1) Run-off from an active sewage sludge unit shall be collected and shall be disposed in accordance with National Pollutant Discharge Elimination System permit requirements and any other applicable requirements.

(2) The run-off collection system for an active sewage sludge unit shall have the capacity to handle run-off from a 24-hour, 25-year storm event.

(h) The leachate collection system for an active sewage sludge unit that has a liner and leachate collection system shall be operated and maintained during the period the sewage sludge unit is active and for three years after the sewage sludge unit closes.

(i) Leachate from an active sewage sludge unit that has a liner and leachate collection system shall be collected and shall be disposed in accordance with the applicable requirements during the period the sewage sludge unit is active and for three years after the sewage sludge unit closes.

(j)(1) When a cover is placed on an active sewage sludge unit, the concentration of methane gas in air in any structure within the surface disposal site shall not exceed 25 percent of the lower explosive limit for methane gas during the period that the sewage sludge unit is active and the concentration of methane gas in air at the property line of the surface disposal site shall not exceed the lower explosive limit for