

§ 503.1

- 503.26 Frequency of monitoring.
- 503.27 Recordkeeping.
- 503.28 Reporting.

Subpart D—Pathogens and Vector Attraction Reduction

- 503.30 Scope.
- 503.31 Special definitions.
- 503.32 Pathogens.
- 503.33 Vector attraction reduction.

Subpart E—Incineration

- 503.40 Applicability.
- 503.41 Special definitions.
- 503.42 General requirements.
- 503.43 Pollutant limits.
- 503.44 Operational standard—total hydrocarbons.
- 503.45 Management practices.
- 503.46 Frequency of monitoring.
- 503.47 Recordkeeping.
- 503.48 Reporting.

APPENDIX A TO PART 503—PROCEDURE TO DETERMINE THE ANNUAL WHOLE SLUDGE APPLICATION RATE FOR A SEWAGE SLUDGE

APPENDIX B TO PART 503—PATHOGEN TREATMENT PROCESSES

AUTHORITY: Sections 405 (d) and (e) of the Clean Water Act, as amended by Pub. L. 95-217, sec. 54(d), 91 Stat. 1591 (33 U.S.C. 1345 (d) and (e)); and Pub. L. 100-4, title IV, sec. 406 (a), (b), 101 Stat., 71, 72 (33 U.S.C. 1251 *et seq.*).

SOURCE: 58 FR 9387, Feb. 19, 1993, unless otherwise noted.

Subpart A—General Provisions

§ 503.1 Purpose and applicability.

(a) *Purpose.* (1) This part establishes standards, which consist of general requirements, pollutant limits, management practices, and operational standards, for the final use or disposal of sewage sludge generated during the treatment of domestic sewage in a treatment works. Standards are included in this part for sewage sludge applied to the land, placed on a surface disposal site, or fired in a sewage sludge incinerator. Also included in this part are pathogen and alternative vector attraction reduction requirements for sewage sludge applied to the land or placed on a surface disposal site.

(2) In addition, the standards in this part include the frequency of monitoring and recordkeeping requirements when sewage sludge is applied to the land, placed on a surface disposal site,

40 CFR Ch. I (7-1-06 Edition)

or fired in a sewage sludge incinerator. Also included in this part are reporting requirements for Class I sludge management facilities, publicly owned treatment works (POTWs) with a design flow rate equal to or greater than one million gallons per day, and POTWs that serve 10,000 people or more.

(b) *Applicability.* (1) This part applies to any person who prepares sewage sludge, applies sewage sludge to the land, or fires sewage sludge in a sewage sludge incinerator and to the owner/operator of a surface disposal site.

(2) This part applies to sewage sludge applied to the land, placed on a surface disposal site, or fired in a sewage sludge incinerator.

(3) This part applies to the exit gas from a sewage sludge incinerator stack.

(4) This part applies to land where sewage sludge is applied, to a surface disposal site, and to a sewage sludge incinerator.

§ 503.2 Compliance period.

(a) Compliance with the standards in this part shall be achieved as expeditiously as practicable, but in no case later than February 19, 1994. When compliance with the standards requires construction of new pollution control facilities, compliance with the standards shall be achieved as expeditiously as practicable, but in no case later than February 19, 1995.

(b) The requirements for frequency of monitoring, recordkeeping, and reporting in this part for total hydrocarbons in the exit gas from a sewage sludge incinerator are effective February 19, 1994 or, if compliance with the operational standard for total hydrocarbons in this part requires the construction of new pollution control facilities, February 19, 1995.

(c) All other requirements for frequency of monitoring, recordkeeping, and reporting in this part are effective on July 20, 1993.

(d) Unless otherwise specified in subpart E, compliance with the requirements in §§ 503.41(c) through (r), 503.43(c), (d) and (e), 503.45(a)(1), (b) through (f), 503.46(a)(1), (a)(3), and (c),

Environmental Protection Agency

§ 503.6

and 503.47(f) that were revised on September 3, 1999 shall be achieved as expeditiously as practicable, but in no case later than September 5, 2000. When new pollution control facilities must be constructed to comply with the revised requirements in subpart E, compliance with the revised requirements shall be achieved as expeditiously as practicable but no later than September 4, 2001.

[58 FR 9387, Feb. 19, 1993, as amended at 64 FR 42568, Aug. 4, 1999]

§ 503.3 Permits and direct enforceability.

(a) Permits. The requirements in this part may be implemented through a permit:

(1) Issued to a "treatment works treating domestic sewage", as defined in 40 CFR 122.2, in accordance with 40 CFR parts 122 and 124 by EPA or by a State that has a State sludge management program approved by EPA in accordance with 40 CFR part 123 or 40 CFR part 501 or

(2) Issued under subtitle C of the Solid Waste Disposal Act; part C of the Safe Drinking Water Act; the Marine Protection, Research, and Sanctuaries Act of 1972; or the Clean Air Act. "Treatment works treating domestic sewage" shall submit a permit application in accordance with either 40 CFR 122.21 or an approved State program.

(b) Direct enforceability. No person shall use or dispose of sewage sludge through any practice for which requirements are established in this part except in accordance with such requirements.

§ 503.4 Relationship to other regulations.

Disposal of sewage sludge in a municipal solid waste landfill unit, as defined in 40 CFR 258.2, that complies with the requirements in 40 CFR part 258 constitutes compliance with section 405(d) of the CWA. Any person who prepares sewage sludge that is disposed in a municipal solid waste landfill unit shall ensure that the sewage sludge meets the requirements in 40 CFR part 258 concerning the quality of materials disposed in a municipal solid waste landfill unit.

§ 503.5 Additional or more stringent requirements.

(a) On a case-by-case basis, the permitting authority may impose requirements for the use or disposal of sewage sludge in addition to or more stringent than the requirements in this part when necessary to protect public health and the environment from any adverse effect of a pollutant in the sewage sludge.

(b) Nothing in this part precludes a State or political subdivision thereof or interstate agency from imposing requirements for the use or disposal of sewage sludge more stringent than the requirements in this part or from imposing additional requirements for the use or disposal of sewage sludge.

§ 503.6 Exclusions.

(a) *Treatment processes.* This part does not establish requirements for processes used to treat domestic sewage or for processes used to treat sewage sludge prior to final use or disposal, except as provided in § 503.32 and § 503.33.

(b) *Selection of a use or disposal practice.* This part does not require the selection of a sewage sludge use or disposal practice. The determination of the manner in which sewage sludge is used or disposed is a local determination.

(c) *Co-firing of sewage sludge.* This part does not establish requirements for sewage sludge co-fired in an incinerator with other wastes or for the incinerator in which sewage sludge and other wastes are co-fired. Other wastes do not include auxiliary fuel, as defined in 40 CFR 503.41(b), fired in a sewage sludge incinerator.

(d) *Sludge generated at an industrial facility.* This part does not establish requirements for the use or disposal of sludge generated at an industrial facility during the treatment of industrial wastewater, including sewage sludge generated during the treatment of industrial wastewater combined with domestic sewage.

(e) *Hazardous sewage sludge.* This part does not establish requirements for the use or disposal of sewage sludge determined to be hazardous in accordance with 40 CFR part 261.

(f) *Sewage sludge with high PCB concentration.* This part does not establish