

**DEPARTMENT OF MINES, MINERALS AND ENERGY
DIVISION OF MINED LAND RECLAMATION**

GUIDANCE MEMORANDUM¹ No. 6-95

Issue Date: April 21, 2008

Subject: Biosolids Use Guidelines (issued 8/9/95, updated 10/1/01 & 04/21/08)

Legislation passed by the General Assembly (HB 2802, Acts of Assembly c. 881, 2007) and signed into law by the Governor, amended § 64.1-44.19:3 and § 32.1-164.2 through § 32.1-164.7 of the Code of Virginia providing for transferring the biosolids use permitting authority and the Biosolids Use Regulations from the Virginia Department of Health (VDH) to the Department of Environmental Quality (DEQ) . The transfer became effective January 1, 2008.

The Division will implement the requirements of §12VAC5-585 et seq. for the use of biosolids on permits issued under the Virginia Coal Surface Mining Reclamation Regulations (4VAC25-130-700.1 et seq.). The **Biosolids Use Guidelines** (<http://www.dmme.virginia.gov/DMLR/docs/downloads.shtml>) are to be used in conjunction with the aforementioned regulations.

¹ This Memorandum is to be considered a guideline issued under the authority of § 45.1-230.A1 of the Code of Virginia which reads:

"In addition to the adoption of regulations under this chapter, the Director may at his discretion issue or distribute to the public interpretative, advisory or procedural bulletins or guidelines pertaining to permit applications or to matters reasonably related thereto without following any of the procedures set forth in the Administrative Process Act (§ 2.2-4000 et seq.). The materials shall be clearly designated as to their nature, shall be solely for purposes of public information and education, and shall not have the force of regulations under this chapter or under any other provision of this Code."