



## Proposed Regulation Agency Background Document

<b>Agency name</b>	State Water Control Board
<b>Virginia Administrative Code (VAC) citation</b>	9VAC25-32-10 et seq. Primary Action 9VAC25-31-10 et seq. Secondary Action 9VAC25-20-10 et seq. Secondary Action
<b>Regulation title</b>	Virginia Pollution Abatement Permit Regulation (Primary); Virginia Pollutant Discharge Elimination System Permit Regulation; Fees for Permits and Certificates
<b>Action title</b>	Amendment of Regulations Pertaining to Biosolids After Transfer from the Virginia Department of Health
<b>Date this document prepared</b>	December 14, 2009

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Orders 36 (2006) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

### Brief summary

*In a short paragraph, please summarize all substantive changes that are being proposed in this regulatory action.*

The changes proposed in this regulatory action address the regulation of biosolids (treated sewage sludge) in a comprehensive manner that covers land application permitted under the Virginia Pollutant Abatement Permit (VPA) Regulation as well as the Virginia Pollutant Discharge Elimination System (VPDES) Permit Regulation. The changes address various issues related to the land application of biosolids, including the following major topics:

- 1) storage requirements
- 2) permit fees
- 3) site access control
- 4) consistency between VPA and VPDES permit requirements
- 5) public notice processes
- 6) permit modification procedures
- 7) processes to establish appropriate buffers to address health concerns
- 8) sampling requirements
- 9) nutrient management requirements

- 10) animal health issues associated with grazing
- 11) financial assurance procedures
- 12) permitting procedures
- 13) distribution and marketing of exceptional quality biosolids
- 14) reclamation of mined and disturbed lands
- 15) reimbursement of local monitors.

**Legal basis**

*Please identify the state and/or federal legal authority to promulgate this proposed regulation, including (1) the most relevant law and/or regulation, including Code of Virginia citation and General Assembly chapter number(s), if applicable, and (2) promulgating entity, i.e., the agency, board, or person. Describe the legal authority and the extent to which the authority is mandatory or discretionary.*

The legal basis for the Virginia Pollution Abatement Permit Regulation (9VAC25-32-10 et seq.), the Virginia Pollutant Discharge Elimination System Permit Regulation (9VAC25-31-10 et seq.) and the Fees for Permits and Certificates Regulation (9VAC25-20-10 et seq.) is the State Water Control Law (Chapter 3.1 of Title 62.1 of the Code of Virginia). Virginia Code § 62.1-44.15 authorizes the State Water Control Board to promulgate regulations necessary to carry out its powers and duties. Specifically, § 62.1-44.19:3 requires the State Water Control Board to include in regulation certain requirements pertaining to land application of sewage sludge (biosolids).

The corresponding federal authority for the criteria for land application of biosolids is found at 40 CFR Part 503. The federal and state authority is mandatory.

**Purpose**

*Please explain the need for the new or amended regulation by (1) detailing the specific reasons why this regulatory action is essential to protect the health, safety, or welfare of citizens, and (2) discussing the goals of the proposal, the environmental benefits, and the problems the proposal is intended to solve.*

On January 1, 2008 the Virginia Department of Environmental Quality (DEQ) assumed regulatory oversight of all land application of treated sewage sludge, commonly referred to as biosolids. This change in oversight of the Biosolids Use Regulations from the Virginia Department of Health to DEQ was at the direction of the 2007 General Assembly, which voted to consolidate the regulatory programs so that all persons land applying biosolids would be subject to uniform requirements, and to take advantage of the existing compliance and enforcement structure at DEQ. In addition to directing that DEQ manage the biosolids program, the General Assembly also added additional requirements regarding biosolids permitting and management.

At its September 25, 2007 meeting, the State Water Control Board voted to adopt as a “final exempt” regulatory action the transfer the substantive content of Biosolids Use Regulations to the VPA, VPDES, Fee, and Sewage Collection and Treatment (9VAC25-790) regulations. Following this action, DEQ initiated the full regulatory process to consider additional changes to the regulations affecting biosolids.

The full regulatory process was necessary to address outstanding VDH regulatory actions, as well as questions regarding public notice processes, processes to establish appropriate buffers to address health concerns, permit issuance and modification procedures, sampling requirements, nutrient management requirements, animal health issues associated with grazing, and financial assurance procedures.

Also, an expert panel was convened by the Secretary of Health and Human Resources and the Secretary of Natural Resources, pursuant to House Joint Resolution 694 of the 2007 Acts of Assembly, to explore the health and environmental implications of biosolids use. The final report of the panel was published on December 22, 2008 as House Document No. 27. This proposed regulatory action also considered the panel's report and recommendations.

## Substance

*Please briefly identify and explain the new substantive provisions, the substantive changes to existing sections, or both where appropriate. (More detail about these changes is requested in the "Detail of changes" section.)*

### A. Consideration of Outstanding State Board of Health Amendments:

The State Board of Health had three regulatory actions underway to amend the Biosolids Use Regulations (12VAC5-585), which were not completed prior to the transfer of the regulations to the State Water Control Board on January 1, 2008. These amendments pertained to: 1) field storage of biosolids, 2) permit fees, and 3) site access control.

1) Changes needed to be made to the field storage requirements to: make the implementation more practical, address potential odor issues, and specify requirements for on-farm storage of biosolids for less than 45 days for sites that would not be regulated by local conditional use permits.

A category newly defined as "staging" has been introduced to address the short term placement of biosolids on any field that is ready to be land applied. Staging may be used as a standard operational procedure or to address inclement weather or equipment breakdowns to stockpile only the biosolids that will be applied to that field or a permitted adjacent field. Biosolids which have been staged for greater than 7 days would be required to be spread as soon as field conditions become favorable for land application or removed from the field, and biosolids staged greater than 14 days are required to be covered. [Refer to Section 9VAC25-32-545.]

Provisions for "on-site storage" were added to address storage up to 45 days on an engineered impermeable surface to serve all sites under control of the operator of the farm where the site is located. All biosolids must be removed by the 45<sup>th</sup> day after the first day of storage. If malodors related to the stored biosolids are verified by DEQ at any occupied dwelling on surrounding property, the problem must be corrected within 48 hours. If the problem is not corrected within 48 hours, the biosolids must be removed from the storage site. [Refer to Section 9VAC25-32-550.]

Existing requirements for "routine", or long-term storage, were modified to include requirements for an engineered surface and covers to prevent dewatered biosolids from contacting precipitation. [Refer to Section 9VAC25-32-550.]

2) Permit fee requirements were modified for VPA and VPDES permit holders in order to clarify application of the specific requirements located in §§ 62.1-44.19:3 and 62.1-44.15:6 of the Code of Virginia. Specific requirements for biosolids fees were added in the 2007 Acts of Assembly that took precedence over existing VPA and VPDES permit fees. DEQ is proposing changes to the regulatory fee structure that better reflect the level of staff resources necessary to process a permit.

For VPDES permits, a \$5000 new permit fee, \$1000 permit modification fee and \$1000 annual maintenance fees for biosolids land application are proposed to be charged in addition to the existing VPDES permit fees, which for an initial permit range from \$2000 to \$24,000, and for a major modification range from \$1000 to \$12,000. Annual permit fees for VPDES permits are equivalent to the new permit fee divided by the term of the permit in years. A provision is included that exempts minor facilities from paying

the additional \$1000 maintenance fee, as well as an exemption to the annual maintenance fee for any VPDES facility if land application was not utilized that year. Further, the modification fee for VPDES permits would only be charged for additions of land application area when a public meeting must be held.

Proposed changes to the fees for VPA permits include a similar provision as VPDES in that the modification fee would only be charged for additions of land application area when a public meeting must be held. Also, it is proposed that the annual maintenance fee for VPA permits be reduced from \$750 to \$500 annually, which again represents the new permit fee (\$5000) divided by the term of the permit in years (10). [Refer to Sections 9VAC25-20-110, 120, and 142.]

3) The 2005 Joint Legislative Audit and Review Commission Report (House Document No. 89) entitled "Review of Land Application of Biosolids in Virginia" contained recommendations on site access control. The timeframe was extended during which notification signage is to be present at a site after land application from 48 hours to five (5) business days. [Refer to 9VAC25-31-485; 9VAC25-32-515; and 9VAC25-32-530.]

#### B. Consistency between VPA and VPDES permit requirements:

There are several areas of inconsistency between biosolids land application requirements in the VPA and VPDES regulations. VPDES language regarding monitoring, recordkeeping, reporting, pathogen reduction and vector attraction reduction, which is based on the EPA 503 Rule, was added to the VPA regulation as new language or to replace existing language. Language was added to the VPDES regulation that refers to the requirements of the VPA Biosolids Use Standards and Practices. Language was added to each of the permit application sections to make VPA and VPDES permit application information consistent. [Refer to 9VAC25-31-100 and 9VAC25-32-60.]

The proposed requirements for permitting do retain an inconsistency related to the location of land application sites. The VPA regulation requires that a separate permit be obtained for each county or municipality where biosolids land application is proposed [Refer to 9VAC25-32-505.] Also, VPDES facilities retain the option of authorizing land application through their VPDES permit or by obtaining a separate VPA permit.

#### C. Public Notice Processes and Permit Modification Procedures:

The VPDES and VPA regulations were reviewed for requirements concerning public notice during the initial issuance and during permit modifications so that all requirements are consistent. In addition, the public notice process was examined to ensure that adequate provisions are in place to notify neighbors potentially affected by biosolids land application. Modifications have been proposed to clarify new statutory requirements, including public notice and public informational meetings upon receipt of an application for a new permit or a reissuance that will add greater than 50% of the acreage included in the original permit. Also, language was added to treat a request to add greater than 50% of the acreage included in the original permit as a major modification requiring a fee due to the resources necessary to notify adjacent residents and hold the public meeting.

The statute requires a public meeting and opportunity to request a hearing when the addition of acreage is greater than 50% of the acreage in the original permit, but adjacent resident notification only for additions of less than 50% of the acreage in the original permit. The proposed regulation specifies that DEQ will notify (or cause to be notified) adjacent residents whenever acreage is added to a permit, no matter what the percentage of the acreage addition. [Refer to 9VAC25-31-290 and 9VAC25-32-140.]

The notification requirements at the time biosolids are land applied was modified, including 14 day notice to DEQ and the locality, sign posting along each right-of-way adjacent to the land application field, and a requirement to give daily notification to DEQ and the county. [Refer to 9VAC25-31-485 and 9VAC25-32-515.]

D. Establishing Appropriate Buffers to Address Health Concerns:

The technical requirements and the timing of establishing additional buffers to address health concerns were modified. The Virginia Department of Health provided considerable input on the topic of health protection and buffers, and the recommendations of the Biosolids Expert Panel were considered as well. Based on these discussions, the proposed changes allow DEQ to extend a residence buffer from the standard 200 feet to 400 feet upon request of the occupant, without medical documentation. An extension beyond 400 feet would require evaluation by a VDH panel. Modifications were also added to clarify the ability of DEQ to extend buffers or waive buffers around an occupied dwelling upon request of the occupant, not simply the landowner. Also, setbacks for water supply reservoirs, streams and tributaries with public water supply designation were added. [Refer to 9VAC25-32-560.]

In response to the Biosolids Expert Panel recommendation that odor control plans be considered, the proposed language includes requirements for odor control plans from all wastewater treatment facilities where biosolids are produced, as well from the land applier that address control of malodor if problems arise at the land application site. [Refer to 9VAC25-31-100 and 9VAC25-32-60.]

E. Sampling Requirements:

Few changes to the regulatory requirements are proposed, primarily based on the lack of a scientific basis for the inclusion of additional parameters. The ability of DEQ to request analyses for additional parameters in soils or biosolids on a case-by-case basis has been clarified in order to account for situations that may warrant additional scrutiny. In effect, the ability to sample for additional parameters is a placeholder available to address new research being conducted by EPA, should those parameters be found to be of concern. [For biosolids sampling, refer to 9VAC25-31-540 and 9VAC25-32-356. For soil sampling, refer to 9VAC25-31-543 and 9VAC25-32-460.]

A requirement for PCB sampling at the time of initial permit application has also been added along with the analysis method (EPA 1668) to be used. [Refer to 9VAC25-31-100 and 9VAC25-32-60.]

Further, the existing sampling protocol for land applied biosolids was “recommended” but not mandatory. The proposed regulatory revisions clarifies that these protocols are required.

F. Nutrient Management Requirements:

The current language in the regulations addressing nutrient management requirements was originally drafted when nutrient management plans (NMPs) were not required for every biosolids land application site. As statute now makes NMPs mandatory for all sites, there is existing language that is duplicative or inconsistent with Department of Conservation and Recreation (DCR) Nutrient Management Standards and Criteria. The proposed changes to these requirements better align the DEQ regulations with the DCR regulations. Primarily, language from the DEQ regulations that was also found in DCR Nutrient Management Standards and Criteria has been removed, and a reference to those regulations inserted to maintain consistency. Certain practices pertaining to nutrient management that are unique to the way biosolids are managed have been added to the DEQ regulations, specifically a requirement to assure that pH and potassium levels in the soil are in appropriate ranges prior to biosolids land application.

The Biosolids Expert Panel recommended that the TAC examine the methods available to determine the phosphorus application rate. The proposed changes specify that the rate will be determined based on the DCR Nutrient Management Standards and Criteria.

The proposed changes include a requirement for NMP approval prior to land application where the soil test phosphorus level is above 35% saturation (135-162 ppm depending on regional differences).

[Refer to 9VAC25-32-560.]

G. Animal Health Issues Associated with Grazing:

Concerns had been raised by the public regarding whether grazing restrictions adequately address equine species and whether there are micronutrient issues that may affect grazers. No changes were made to the grazing restrictions; however, a footnote was added to the ceiling limits for biosolids requiring that biosolids with a molybdenum concentration greater than 40 mg/kg shall not be applied to land used for livestock grazing. [Refer to 9VAC25-31-540 and 9VAC25-32-356.]

H. Financial Assurance Procedures:

Persons holding or applying for permits to land apply biosolids are required to provide written evidence of financial responsibility, which shall be available to pay for cleanup costs, personal injury and property damage related to transportation, storage or land application of biosolids. The proposed regulations require a minimum of \$2 million in liability coverage, and allow various means to meet the financial test, including the corporate financial test, the local government financial test, letter of credit for liability coverage or trust fund for liability coverage. The proposal recognizes that a municipality will likely need to use different means to meet the financial assurance requirements than a private contractor. [Refer to 9VAC25-32-770 through 850.]

I. Permitting Procedures:

The proposed regulation addresses the concern over the possibility of land application sites being permitted for land application by multiple contractors in two ways: the land application agreement between the farmer and contractor must include certification that there are no concurrent landowner agreements with other companies, and the assignment of a unique control number to each field by DEQ to ensure clear tracking of land application sites. [Refer to 9VAC25-31-485 and 9VAC25-32-530.]

A final expiration date was added for all BUR permits of December 31, 2012. [Refer to 9VAC25-32-300.]

J. Miscellaneous Issues:

Other proposed changes to the regulations in response to the NOIRA, the discussions of the Biosolids Expert Panel and the discussions of the Biosolids Technical Advisory Committee include the following:

## 1) Requirements for distribution and marketing of exceptional quality biosolids:

Exceptional quality (EQ) biosolids are biosolids materials that contain lower pollutant levels, and have been treated to achieve non-detectable levels of pathogens and reduced vector attraction. This material may be distributed to the end-user either in unpackaged (bulk) or packaged (bags, trucks < 1 ton). All marketing and distribution of fertilizer materials requires a permit and registration with the Virginia Department of Agriculture (VDACS). DEQ supports production of this more highly treated biosolids product, and proposes retaining the exemption from the land application fee.

The proposed changes allow for an exemption to the NMP requirement for EQ biosolids material that is greater than 90% solids, or is blended with other materials and is greater than 40% solids and achieves a carbon to nitrogen ratio of at least 25:1. Recordkeeping and reporting requirements are limited to what is required in the EPA 503 regulations coupled with that required by VDACS regulations. [Refer to 9VAC25-32-570.]

## 2) Reclamation of mined and disturbed lands:

The Biosolids Expert Panel recommended that the TAC examine the regulations related to biosolids use in reclaiming mined and disturbed lands. The proposed regulations include a requirement that an NMP be required for all reclamation sites receiving biosolids, and that the plan be approved by DCR prior to permit issuance. [Refer to 9VAC25-32-560.]

3) Local Monitoring Reimbursement:

Language was added to the Fee regulation to clarify when local monitoring costs may be reimbursed above \$2.50 per dry ton, up to \$4.00 per dry ton biosolids applied in the county. The proposal requires prior approval from DEQ to exceed the \$2.50 reimbursement rate. Additionally, the reimbursement procedures were modified such that charges for monitoring not associated with determining compliance with state or federal law would be ineligible for reimbursement. [Refer to 9VAC25-20-149.]

**Issues**

*Please identify the issues associated with the proposed regulatory action, including:*

- 1) the primary advantages and disadvantages to the public, such as individual private citizens or businesses, of implementing the new or amended provisions;*
- 2) the primary advantages and disadvantages to the agency or the Commonwealth; and*
- 3) other pertinent matters of interest to the regulated community, government officials, and the public.*

*If the regulatory action poses no disadvantages to the public or the Commonwealth, please so indicate.*

Consideration of Outstanding State Board of Health Amendments

1) Storage:

The new staging option may be used as a standard operational procedure or to address inclement weather or equipment breakdowns to stockpile only the biosolids that will be applied to that field or a permitted adjacent field. This option will allow greater flexibility for land appliers, as well as potentially reducing the need to site permanent storage facilities.

Provisions for odor abatement at on-site storage and routine storage sites will be an advantage to the public.

Requirements for covered routine storage will reduce the potential for pollution of state waters as well as reducing the potential for odors.

2) Fee Structure:

The Commonwealth will benefit from changes proposed to the regulatory fee structure in that they are believed more equitable with the agency resources necessary to process permits. New requirements for public meetings and adjacent property owner notification can add significant costs to the agency.

Minor VPDES facilities that do not generate large amounts of biosolids will be disadvantaged by the increased permit issuance and modification fees, but will have an advantage in the exemptions to the annual maintenance fee.

VPDES or VPA permit holders will have an advantage in that the permit modification fee would only be charged for additions of land application area when a public meeting must be held.

3) Access Control:

The changes to the signage requirements when biosolids are land applied require that the land applier maintain the signs for a longer period of time.

The neighbors to the land application sites should have an advantage in that they will have an extended period of notification.

Consistency between VPA and VPDES permit requirements

VPA and VPDES permit holders will benefit from the improvements in consistency as the requirements will be more straightforward for both parties.

The public will benefit from increased consistency in that the regulatory requirements for all neighboring land application activities will be the same.

Public Notice Processes and Permit Modification Procedures

VPA and VPDES permit holders will benefit from added clarity as to the requirements for public notice; however, they will experience a disadvantage in the time it takes to process a permit application when all adjacent residents must be notified in all cases. VPA and VPDES permit holders will be required to post additional signs at land application sites if the sites border more than one right-of-way.

The Commonwealth will incur additional costs due to the additional resources necessary to notify adjacent residents with all additions of land.

The Commonwealth as well as local government officials will benefit from the additional information provided in the notification procedures, and inspection scheduling should be improved.

Neighbors of land application sites should benefit from the additional notification procedures.

Establishing Appropriate Buffers to Address Health Concerns

The revised buffer procedures should add clarity that will benefit the Commonwealth as well as the public by providing predictability as to the process that will be employed to establish buffers.

The Commonwealth as well as the public will benefit from the additional environmental and health protection afforded by the additional setbacks for water supply reservoirs, streams and tributaries with public water supply designations. VPA and VPDES permit holders may be disadvantaged by the additional setbacks required.

The requirements for odor control plans may be seen as an additional burden for some VPA and VPDES permit holders; however, some facilities have already implemented such plans. The public will benefit from the requirement for odor control plans through the mandate of procedures to abate malodorous biosolids.

Sampling Requirements

All parties should benefit from the increased clarity of the regulations. VPA and VPDES permit holders may be disadvantaged by the additional cost of PCB sampling at the time of permitting using the specified method.

Nutrient Management Requirements

All parties should benefit from the increased clarity of the regulations. The VPA and VPDES permit holders may be disadvantaged if they must wait to apply biosolids at a site because nutrient conditions are not at the levels specified in the regulations. Farmers receiving biosolids may initially perceive a disadvantage if they must add lime or potassium to a land application site prior to receiving biosolids, but will benefit from the increased productivity afforded by appropriate nutrient management.



The Commonwealth will benefit from the availability of NMP information at the land application site, making the inspection process more efficient.

The public will benefit from increased assurance that nutrient management practices are being implemented properly at land application sites.

Animal Health Issues Associated with Grazing

Farmers will benefit from increased assurance that biosolids applications will not adversely affect animal health. VPA and VPDES permit holders will have to choose land application sites that are not grazed if the biosolids to be land applied has a Mb content above 40 mg/kg.

Financial Assurance Procedures

VPA and VPDES permit holders will benefit from the increased clarity of the regulations; however, they may be at a disadvantage if they cannot meet the financial assurance requirements.

The public will benefit from increased assurance that financial resources would be available to pay for any losses that might be incurred due to biosolids land application.

Permitting Procedures

All parties will benefit from the increased clarity of the regulations.

Requirements for distribution and marketing of exceptional quality biosolids

VPA and VPDES permit holders that market EQ biosolids that do not meet the exemption criteria for NMP requirements will be disadvantaged by the requirement to procure a NMP; however, the market for EQ biosolids should not be negatively affected by the regulatory proposal, benefitting the permit holders as well as the public.

VPA and VPDES permit holders should benefit from simplified recordkeeping requirements.

Reclamation of mined and disturbed lands

VPA and VPDES permit holders applying biosolids to mined or disturbed lands may be disadvantaged by the requirement to have a nutrient management plan; however, all parties should benefit from successful land reclamation.

Local Monitoring Reimbursement

All parties should benefit from the increased clarity of the regulations.

**Requirements more restrictive than federal**

*Please identify and describe any requirement of the proposal which are more restrictive than applicable federal requirements. Include a rationale for the need for the more restrictive requirements. If there are no applicable federal requirements or no requirements that exceed applicable federal requirements, include a statement to that effect.*

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1) Storage requirements are more prescriptive than the federal requirements regarding timing and best management practices required. These requirements are needed to meet state statutory requirements and address issues that have arisen related to storage of biosolids in the Commonwealth.

- 2) There are no fee requirements in the federal regulations. Fee requirements are necessary to meet state statutory requirements.
- 3) The federal requirements for biosolids are self-implementing, and do not require individual permitting. Permitting requirements are necessary to meet state statutory requirements.
- 4) Public notice requirements are more restrictive than federal requirements in order to meet state statutory requirements.
- 5) Buffer requirements are more restrictive than federal requirements. Buffers for water quality are based on research that demonstrates reduced nutrient and sediment loss. Buffers for health protection are based on a variety of factors, predominantly an increased measure of precaution recommended by the Virginia Health Department.
- 6) Requirements for odor control plans are more restrictive than federal requirements. These are needed to address issues that may arise in the management of biosolids.
- 7) The requirements for PCB analysis at the time of permitting and the method required is more restrictive than federal requirements. This requirement is necessary to address proper identification of biosolids that may not meet federal requirements for PCB content.
- 8) Nutrient management planning requirements are more restrictive than federal requirements in order to meet state statutory requirements, as well as to provide reasonable protection against nutrient loss to the environment, as consistent with other land application programs in the Commonwealth. This applies to exceptional quality biosolids and land reclamation uses as well.
- 9) The ceiling limit for molybdenum content in biosolids applied to grazed land is more restrictive than the federal requirement. However, this requirement has been adopted in at least one other state and is based on research conducted by the USDA-Agricultural Research Service.
- 10) Financial assurance requirements are more restrictive than federal regulations and are necessary to meet state statutory requirements.
- 11) Permitting procedures are more restrictive than federal regulations, as the federal regulations are “self-implementing” and do not require that a permit be obtained if the technical requirements are followed. The VPA and VPDES permitting requirements are necessary to meet state statutory requirements, including permit requirements for exceptional quality biosolids.
- 12) The federal requirements do not include provisions for local monitoring. The requirements related to local monitoring of biosolids are necessary to meet state statutory requirements.

**Localities particularly affected**

*Please identify any locality particularly affected by the proposed regulation. Locality particularly affected means any locality which bears any identified disproportionate material impact which would not be experienced by other localities.*

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Localities particularly affected by the proposed regulation include any locality in which biosolids are land applied. The proposed regulation includes notification requirements for these localities that ensure notification of proposed activities prior to permitting.

**Public participation**

*Please include a statement that in addition to any other comments on the proposal, the agency is seeking comments on the costs and benefits of the proposal, the impacts on the regulated community and the impacts of the regulation on farm or forest land preservation.*

In addition to any other comments, the board/agency is seeking comments on the costs and benefits of the proposal, the potential impacts of this regulatory proposal and any impacts of the regulation on farm and forest land preservation. Also, the agency/board is seeking information on impacts on small businesses as defined in § 2.2-4007.1 of the Code of Virginia. Information may include 1) projected reporting, recordkeeping and other administrative costs, 2) probable effect of the regulation on affected small businesses, and 3) description of less intrusive or costly alternative methods of achieving the purpose of the regulation.

Anyone wishing to submit written comments may do so at the public hearing or by mail, email or fax to William Norris, Post Office Box 1105, Richmond, VA 23218, (804) 698-4022, fax (804) 698-4347, [william.norris@deq.virginia.gov](mailto:william.norris@deq.virginia.gov). Comments may also be submitted through the Public Forum feature of the Virginia Regulatory Town Hall web site at [www.townhall.virginia.gov](http://www.townhall.virginia.gov). Written comments must include the name and address of the commenter. In order to be considered comments must be received by 5:00 p.m. on the date established as the close of the comment period.

A public hearing will be held and notice of the public hearing will appear on the Virginia Regulatory Town Hall website ([www.townhall.virginia.gov](http://www.townhall.virginia.gov)) and can be found in the Calendar of Events section of the Virginia Register of Regulations. Both oral and written comments may be submitted at that time.

**Economic impact**

*Please identify the anticipated economic impact of the proposed regulation.*

<p><b>Projected cost to the state to implement and enforce the proposed regulation, including (a) fund source / fund detail, and (b) a delineation of one-time versus on-going expenditures</b></p>	<p>Funds for the majority of costs associated with the administration of the biosolids regulatory program will be provided through the Sludge Management Fund. This fund receives its funding through fees charged to the wastewater treatment plants for permits and a per ton land application fee. The costs will be predominantly on-going expenditures related to permitting and compliance. Specific additional costs to the state include notification of adjacent property residents prior to permitting in addition to the public meeting requirement. This notification requires 1) staff time and 2) postage costs.</p>
<p><b>Projected cost of the regulation on localities</b></p>	<p>Approximately 40 localities that own wastewater plants permitted will incur additional costs if land application of biosolids if they continue to land apply biosolids under their VPDES permit. 1) A \$5000 additional permit application fee is required. It is not anticipated that there will be very</p>

	<p>few new VPDES permits.                  2) A \$1000 additional permit modification fee is required if greater than 50% additional land application area is added.                  3) A \$1000 annual permit maintenance fee for major dischargers is required in years that land application is utilized.                  4) Notification requirements, including signage for land application sites                  5) Additional cost for PCB analysis at time of permitting                  A municipal wastewater treatment plant has the option to obtain a VPA permit to authorize biosolids land application, thereby spreading the permit costs over a 10 year period rather than the 5 year VPDES permit cycle.</p>
<p><b>Description of the individuals, businesses or other entities likely to be affected by the regulation</b></p>	<p>- Land application contractors                  - Farmers who utilize biosolids for fertilizer</p>
<p><b>Agency’s best estimate of the number of such entities that will be affected. Please include an estimate of the number of small businesses affected.</b> Small business means a business entity, including its affiliates, that (i) is independently owned and operated and (ii) employs fewer than 500 full-time employees or has gross annual sales of less than \$6 million.</p>	<p>Approximately 20 land application contractors that are small businesses would be affected by this regulatory action. An indeterminate number of farmers who utilize biosolids for fertilizer would be affected by this regulation. Several factors would affect whether or not they would be economically impacted, including: 1) their choice to use biosolids, 2) the proximity of occupied residences near land application fields, 3) land use, and 4) the existing nutrient characteristics in their crop fields.</p>
<p><b>All projected costs of the regulation for affected individuals, businesses, or other entities. Please be specific. Be sure to include the projected reporting, recordkeeping, and other administrative costs required for compliance by small businesses.</b></p>	<p>The proposed regulation would affect costs to the land application contractors in the following ways:                  1) increases or decreases in cost to store biosolids, depending upon whether a cover is needed on existing storage facilities, or if timing of storage is modified to take advantage of the opportunity to “stage” biosolids                  2) Annual permit maintenance fees would be reduced from \$750 to \$500.                  3) The costs for modification of a permit would be dependent upon the amount of land in the original permit application. If a small amount of land were initially permitted, modification costs will be greater as the public meeting will be required for smaller amounts of land and thus the \$1000 modification fee may be incurred more often.                  4) The additional signage required for sites with multiple road frontages will add costs.                  5) Additional buffer requirements may limit land application on certain sites, possibly requiring additional cost to permit alternative locations.                  6) The financial assurance requirements may increase insurance costs if existing policies do not meet the requirements in the revised regulation.                  7) The nutrient management plan requirements for mined and disturbed land may add costs if additional requirements are necessary to reduce</p>

	<p>the risk of nutrient loss (e.g. addition of carbon material to biosolids to reduce leaching potential).</p> <p>The proposed regulation would affect costs to farmers who choose to fertilize with biosolids in the following ways:</p> <ol style="list-style-type: none"> <li>1) Increased buffers in some cases near occupied residences will decrease the land area available for biosolids land application, thereby potentially increasing the cost to fertilize that area.</li> <li>2) If pH or potassium levels in fields slated for biosolids application are not at the levels specified in the regulation, lime and/or potassium would need to be purchased and applied prior to land application of biosolids.</li> </ol>
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**Alternatives**

*Please describe any viable alternatives to the proposal considered and the rationale used by the agency to select the least burdensome or intrusive alternative that meets the essential purpose of the action. Also, include discussion of less intrusive or less costly alternatives for small businesses, as defined in §2.2-4007.1 of the Code of Virginia, of achieving the purpose of the regulation.*

The participatory approach was used by the agency to determine the most appropriate proposal. The Technical Advisory Committee (TAC) was unanimous in agreeing that regulatory changes were needed to address particular issues. Committee members presented various alternate mechanisms to achieve compliance with the Code of Virginia, and the agency used this input to develop the most reasonable approach with the least impact on small businesses.

**Regulatory flexibility analysis**

*Please describe the agency’s analysis of alternative regulatory methods, consistent with health, safety, environmental, and economic welfare, that will accomplish the objectives of applicable law while minimizing the adverse impact on small business. Alternative regulatory methods include, at a minimum: 1) the establishment of less stringent compliance or reporting requirements; 2) the establishment of less stringent schedules or deadlines for compliance or reporting requirements; 3) the consolidation or simplification of compliance or reporting requirements; 4) the establishment of performance standards for small businesses to replace design or operational standards required in the proposed regulation; and 5) the exemption of small businesses from all or any part of the requirements contained in the proposed regulation.*

The options for regulatory flexibility were limited in this action due to applicable federal law and regulation and state law. Reporting and recordkeeping requirements were generally limited to what was required in federal regulation. Changes to operational standards were developed based on deliberations of the Technical Advisory Committee in order to minimize impact on small businesses.

**Public comment**

Please summarize all comments received during public comment period following the publication of the NOIRA, and provide the agency response.

Commenter	Comment	Agency response
Armentrout, Robert "Bob"	Based on complaints from friends that live near farms where biosolids have been spread, I am convinced some of the biosolids that have been applied are not without a health risk. Additionally, much more harm is done by use of biosolids as fertilizer than is gained when the watershed and the total ecosystem is considered. It is contributing to the over-fertilization of the land, which in turn pollutes streams, rivers and eventually the Bay. The recommendations as outlined by the Commonwealth Coalition are reasonable and I fully support them.	Recommendations accepted and taken under consideration during the drafting of the regulation amendments.
Camp, Angela and Thomas	Support the 17 recommendations as submitted by Mary Carwile, Chair of the Commonwealth Coalition.	Recommendations accepted and taken under consideration during the drafting of the regulation amendments.
Carwile, Amber N.	Support the 17 recommendations as submitted by Mary Carwile, Chair of the Commonwealth Coalition.	Recommendations accepted and taken under consideration during the drafting of the regulation amendments.
Carwile, Mary H. - Commonwealth Coalition	Recommend the following: a. Chemical Analysis for the EPA Priority Pollutants as well as for the Biological Toxins, including and not limited to endotoxins, fecal coliform, etc. b. Five (5) mile buffer from habitat. c. Once sign is posted, citizens have fifteen days before biosolids applications begin. d. All signs posted should be the same parameters as the re-zoning notice signs (4X8), and information on sign is visible from a distance of at least 20 ft. They must be placed vertically to the roadway, straight up and down with no slant. e. All signs must have the name and phone number of the agency or company that has authority to lift, modify, or abate any and all biosolids applications. f. Make regulation that there must be proof of receipt for notification to citizens adjacent to land applications and to those citizens within 1,000 feet of the land	Recommendations accepted and taken under consideration during the drafting of the regulation amendments.

	<p>to be applied. g. Biosolids applications can only be delivered and applied during business daylight hours. h. Any damage to infrastructure or spillage caused by biosolids truck traffic should be paid by the haulers, spreaders and the recipients of the said treated sewage sludge and not the taxpayer. i. All land applications of biosolids must be recorded on each land deed (impact on family). j. Monies placed in escrow by both land owners and sludge companies to ensure financial responsibility with direct proportion to the acreage to be applied. k. Penalties imposed immediately upon violations (license revoked, suspended, etc., impound truck or trucks, pull permit, etc.). l. Cleanup of roadways, etc. should be removed and deposited back on the truck or on the designated field ready for application. m. Testing of soil semi-annually to ensure proper pH and that heavy metals remain bound in soil. n. Field storage of biosolids should be covered at all times and stored for no longer than 20 days. o. Field testing of all biosolids not applied within twenty-four hours for pH and biological pathogens including fecal coliform. p. When land applied, biosolids should be immediately incorporated into the soil. q. When storing biosolids, retesting should be done based on the fact that no one is dealing with the original contaminants or pathogens any more. It should be considered a completely new source in itself. The retesting should be the same as regulations for biosolids land applied.</p>	
<p>Elliott, Judy</p>	<p>Support the recommendations submitted by Mary Carwile of the Commonwealth Coalition. In addition: The signs need to include a phone number to call for health related issues.</p>	<p>Recommendations accepted and taken under consideration during the drafting of the regulation amendments.</p>
<p>Fischer, Ed</p>	<p>Support the recommendations submitted by Mary Carwile of the Commonwealth Coalition. In addition, I urge you to do what you can to assure public safety.</p>	<p>Recommendations accepted and taken under consideration during the drafting of the regulation amendments.</p>

Ford, Nancy	Support the recommendations submitted by Mary Carwile of the Commonwealth Coalition.	Recommendations accepted and taken under consideration during the drafting of the regulation amendments.
Foster, Ed and Alice	Recommend: a. Notification signs should be posted on field 15 days prior to spreading. Size should be 4'X8' with large legible letters including a contact name, address and phone number. b. Notification must be sent to all persons living within a one mile radius of the application site. Letters should be registered with signature as proof of receipt. c. Sludge can only be delivered and spread on business days during daylight hours. d. Sludge companies should be required to immediately incorporate sludge into soil; spreading only not permitted. Method of incorporation should not allow sludge to become airborne. e. Landowner should be required to record sludge application on deed. f. Any sludge company who violates any regulations will be warned, and fined, after first offense, and after second offense disqualified from receiving future permits. g. Sludged fields need wildlife deterrent (need input from DGIF). h. Ban food crop production on sludged fields. i. Make State policies already in place for sedimentation and erosion control apply also to sludge. j. More extensive testing of sludge is needed at wastewater treatment facilities, immediately before land application, and after application to ensure proper binding of chemicals to soil. Increase permit fees to pay for this. k. More extensive testing of any well water, surface water and soil on properties within a mile radius of sludged fields. l. A regional monitoring program should be implemented. The monitor will have the final say on site approval and enforcement of regulations. m. Sludge field storage should be for no more than 20 days.	Recommendations accepted and taken under consideration during the drafting of the regulation amendments.
Fowler, Rev. Gayl	Recommend additional buffer zones to prevent contamination of water wells - should take into consideration kind of well construction, the type of soil, and	Recommendations accepted and taken under consideration during the drafting of the regulation amendments.



<p>Frye, Jack E.</p>	<p>the lay of the land.                  Support a requirement for all facilities land applying biosolids to obtain a VPA permit, whether or not they have a VPDES permit. Support the clarification of duplicative and inconsistent language between these regulations and the DCR nutrient management regulations. Support a de minimis quantity exemption pertaining to nutrient management plan requirement for Class A biosolids. A modification to the land owner/operator agreement is warranted requiring the land owner and/or operator to implement the nutrient management plan and indicating that failure to comply with this or other provisions of the agreement will result in removal of sites controlled by the landowner and operator from current and future biosolids permits.</p>	<p>Recommendations accepted and taken under consideration during the drafting of the regulation amendments.</p>
<p>Graf, Mary</p>	<p>Recommend: a. Require producer/spreader to list all contents of the sludge. b. Testing - the only way to have meaningful and credible testing and sampling of the material, at the plant and at the site, is for it to be done by a third party - The present list of things to be tested for needs to be expanded to include PCBs and dioxins - The list needs to be open-ended so other pollutants can be added as the need arises. c. Increase standard buffer to one mile from any individual home and to two miles from any church, school, or other place where large numbers gather. d. Require improved notice signs - signs posted a minimum of 15 business days before spreading - attach a "red tag" to the sign as a 48 hours heads-up - signs be a minimum of 4'X8' posted every 500 feet - include 24/7 contact information for those with the authority to delay or stop the application in case of an emergency - the county needs to receive notice before the signs are posted and be given an additional 48 hour imminent notice so they can make immediate preparations, such as having a monitor in place - signs</p>	<p>Recommendations accepted and taken under consideration during the drafting of the regulation amendments.</p>

	<p>must be maintained from a minimum of 15 business days before the spreading until one year after spreading. e. Require written notice with proof of receipt to everyone who lives within 1,000 feet of the buffer zone fifteen days prior to spreading. f. The letter of notification should include who should be contacted if a health problem develops that requires intervention. g. Increase regulation requirements for spreading: weather condition restrictions must include limiting wind speed to 5 mph - spread only during normal business hours - require immediate incorporation of material into the soil - mandated compliance to state regulations for erosion and sedimentation control. h. Cleanup of spillage along route must be immediate and include complete removal at the spreaders' expense. i. The route that the sludge trucks will travel within Virginia should be certified by VDOT in writing - Any damage caused by biosolids trucks must be paid for by the haulers and not by the taxpayers. j. It should be mandated and documented that soil from the sludged field be tested semi-annually to insure proper pH levels are maintained to keep heavy metals bound in the soil - if the pH level drops below 6.5, the landowner, at his own expense, must be required to add sufficient lime as soon as practical. k. On-farm field storage must be limited to no longer than 20 days, must be covered at all times, and must be surrounded by silt fences and in all ways subject to the same state erosion and sedimentation control regulations required for construction. l. Financial assurance should be mandated that monies, in direct proportion to the acreage to be applied, be put in escrow by haulers/spreaders and by farmers for a minimum of five years after the last application. m. Penalties for infractions need to be immediate and meaningful, not just fines that are so often ignored and/or</p>	
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	<p>sidestepped. n. The public's right to know needs to be addressed - on the property deed, recording of biosolids spreading must be mandated - a state agency online database needs to be established.</p> <p>o. The potential for negative impact on the institution of the family and family stability can definitely be anticipated - quality of life can be significantly reduced due to unpleasant and/or unhealthy bioaerosols depriving the family of enjoyment of the out of doors and/or causing health problems - resulting health problems can stress a family's emotional and physical strength if not the very life of one of its members - disposable family income could be reduced due to health expenses and to reduction of property value - land use, such as organic farming, could be restricted due to previous or neighboring biosolids spreading - citizen's rights could be violated by jeopardizing access to clean air and water.</p>	
Garrett, Clyde	Support the recommendations submitted by Mary Carwile of the Commonwealth Coalition.	Recommendations accepted and taken under consideration during the drafting of the regulation amendments.
Harkins, Burke	Support the recommendations submitted by Mary Carwile of the Commonwealth Coalition.	Recommendations accepted and taken under consideration during the drafting of the regulation amendments.
Hart, Shannon George	Support the recommendations submitted by Mary Carwile of the Commonwealth Coalition. In addition: a. A health survey should be conducted within a 10 mile radius of the application site to determine any sick, immune compromised or elderly individuals and any very young children in the area - land application should be prohibited in that area if any of these are identified and documented; b. The posting of property to receive biosolids should be required to give 30 days notice of such application; c. DEQ should take all actions necessary to protect the health of citizens; d. DEQ should petition EPA to do the epidemiological studies necessary to determine adverse effects on human health.	Recommendations accepted and taken under consideration during the drafting of the regulation amendments.
Harwood,	Support the recommendations	Recommendations accepted and taken under

Michael S.	submitted by Mary Carwile of the Commonwealth Coalition. In addition: the applied nitrogen and phosphorus content of biosolids should be limited to amounts established to support crop growth - nutrients spread in excess to crop needs wind up seeping into the ground water or into runoff flowing into the waterways - this practice must be stopped.	consideration during the drafting of the regulation amendments.
Henifin, Edward G.	Any changes to the VPDES and VPA regulations should be in accordance with Executive Order 36 (2006) which requires that all regulatory development be based on the best reasonably available scientific, economic, and other information concerning the need for, and consequences of the intended regulations. Any amendments to the regulations should be in response to credible concerns of environmental and public health risks. Any amendments should achieve their intended objective in the most efficient, cost-effective manner.	Recommendations accepted and taken under consideration during the drafting of the regulation amendments.
Hood, Pam	Support the recommendations submitted by Mary Carwile of the Commonwealth Coalition.	Recommendations accepted and taken under consideration during the drafting of the regulation amendments.
Hope, Mary Ellen and Howard	Biosolids should be buried, as is done in other countries. Biosolids should not be applied to farm land. Need to face this environmental catastrophe. It may be our country's worst environmental problem with the toxins seriously affecting the condition of our wells, creeks, rivers and ocean, poisoning our land, food, air and us.	Recommendations accepted and taken under consideration during the drafting of the regulation amendments.
Hughes, Charlotte H.	Support the recommendations submitted by Mary Carwile of the Commonwealth Coalition.	Recommendations accepted and taken under consideration during the drafting of the regulation amendments.
Johnson, Donna Pugh	Biosolids are an important source of nutrients for agriculture and the forestry operations. State level regulations of biosolids based upon sound science will help build the success of this program. The issues identified in the NOIRA should be addressed in a manner that is consistent with state law, promotes efficient permitting processes (including general permits) and science-based decisions, as well as	Recommendations accepted and taken under consideration during the drafting of the regulation amendments.

	protects the rights of the landowners who utilize biosolids.	
Martin, Mary Porter	<p>Opposed to the way that land application of biosolids is being handled. The regulations do not protect the citizens of Virginia and are very much slanted to protect the sludge hauler and make land application easy for them.</p> <p>Recommend the following changes to any biosolids ordinances: a. All biosolids should be immediately incorporated into the soil; b. Testing for pH, pathogens, heavy metals, pollutants and toxins should be done prior to the application and semi-annually for 5 years after at the expense of the sludge hauler; c. A buffer zone of 5 miles from any habitation should be instated along with a process of notification of citizens adjacent to land applications; d. Clear and visible signs should be posted 15 days in advance of any application with the name and phone number of the company with the authority to abate any applications in the event of a violation; e. Delivery should be limited to 9-5 during the week; f. Any violation resulting in damage should be the responsibility of the hauler and there should be fines added to the damage remediation; g. The land application of biosolids should be recorded on every deed and there should be a separate record of each parcel on which biosolids have been applied in a separate place in each courthouse so that potential adjacent owners can know in advance if they will be living next to land so treated.</p>	Recommendations accepted and taken under consideration during the drafting of the regulation amendments.
Matteson, Tyla	Support the recommendations submitted by Mart Carwile of the Commonwealth Coalition.	Recommendations accepted and taken under consideration during the drafting of the regulation amendments.
Overbey, Jo	<p>Recommend the following: a. Field Storage - The current time period for field storage of 45 days should be shortened to no longer than 20 days - methods should be put in place for notice requirements and inspections to see that the time limit is adhered to; b. The notice concerning the proposed initial permitting and any modifications</p>	Recommendations accepted and taken under consideration during the drafting of the regulation amendments.

	<p>should allow adequate time for the localities to be fully informed about biosolids - two or three months would be appropriate; c. Public Notice Processes and Permit Modification Procedures - The current 48-hour notice required to be given to the locality currently is insufficient in both its timing and in who receives it - recommend a minimum requirement of 15 business days, and that the sites to be spread at that time and the source of the biosolids be noted - the locality should have the duty to notify the neighbors - if notice is to be by signs, signage should be prominently placed, of sufficient size as to be easily read when driving past, and give the names of people to contact with questions; d. Public Notice Processes and Permit Modification Procedures - Prior to permitting, each site should be inspected by the DEQ or a trained local monitor - monitoring training needs to be significantly upgraded, so that the monitor is able to assess slope and other issues and also learn how to properly collect samples for testing; e. Establishing Appropriate Buffers to Address Health Concerns - The buffers should be extended beyond those currently in use and even more than is being proposed by DEQ - Recommend a minimum buffer of 1/2 mile from any residence, without a waiver allowing the spread to occur closer - for schools, nursing homes, churches, or places that people congregate, the buffer should be a minimum of one mile; f. Biosolids Sampling Requirements - The protocol for sampling should be mandatory - a number of the organic chemicals and more dangerous pharmaceuticals that are likely to be found in sewage sludge should be added to the sampling protocol - the testing should be overseen by DEQ staff or a trained local monitor - permit fees should be adequate to cover this testing; g. Nutrient Management Requirements - Not only should be</p>	
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	<p>consistent, but should be much stricter than they now are; h. Animal Health Issues Associated with Grazing - It is a mistake to allow any animal to graze a field where biosolids have been applied, but not incorporated - the content of biosolids cannot be fully known and there are risks associated with this practice, particularly for animals intended for slaughter or milk production; i. Financial Assurance Procedures - Mechanisms for meeting the financial responsibility requirements, where the responsibility lies and addressing both the VPA and VPDES regulations should be addressed - there should not be at any time limits placed upon this responsibility, as long term damage can occur well after spreading has ceased; j. Administrative Burden - Great care should be taken here - if the program places a burden upon the agencies involved, fees need to be raised sufficiently to provide the necessary staff - the sites must be inspected prior to being permitted - paperwork must be followed up on to see that it is accurate - all of this will require manpower (administrative burden) but trying to cut corners in this area could lead to the same situation that we have had with VDH.</p>	
<p>Parker, Diane</p>	<p>Support the recommendations submitted by Mary Carwile of the Commonwealth Coalition.</p>	<p>Recommendations accepted and taken under consideration during the drafting of the regulation amendments.</p>
<p>Pasciuta, Jr., Anthony</p>	<p>Support the recommendations submitted by Mary Carwile of the Commonwealth Coalition.</p>	<p>Recommendations accepted and taken under consideration during the drafting of the regulation amendments.</p>
<p>Potter, Lorraine B.</p>	<p>Support the recommendations submitted by Mary Carwile of the Commonwealth Coalition.</p>	<p>Recommendations accepted and taken under consideration during the drafting of the regulation amendments.</p>
<p>Presley, Jeff; Barbara; and Allen</p>	<p>Support the recommendations submitted by Mary Carwile of the Commonwealth Coalition.</p>	<p>Recommendations accepted and taken under consideration during the drafting of the regulation amendments.</p>
<p>Raine, Nancy V. &amp; Stephen M. Stevick</p>	<p>Recommend: a. Buffers for Right-of-Way Easements and Private Roads - Propose specific buffers on farm fields permitted to receive biosolids when those fields directly adjoin private roads, such as right-of-way easements - these buffers should be at least as wide as those</p>	<p>Recommendations accepted and taken under consideration during the drafting of the regulation amendments.</p>

	<p>prescribed for state roads and highways and regulations should permit citizens (through a provision in the regulations for a hearing) to request wider buffers in special cases; b. Alternative Delivery Routes - In instances where the right-of-way easement immediately adjoins permitted field or runs through permitted fields and when it is the sole access to inhabited property, and is used by biosolids delivery vehicles and spreaders, an alternative route for delivery of biosolids should be required for delivery, spreading and storage; c. Field Storage of Biosolids - Field storage should be limited to no more than 30 days from the deposit of the first load of biosolids. - the date of the deposit of the first load of biosolids should be conveyed to DEQ by companies in writing, thus providing DEQ with a timeline on when to schedule a site visit (30 days later) in order to ascertain if the biosolids have been spread or removed from the site - stockpiles should be located one mile from dwellings, wells, water resources, and roadways (both public and private), schools, churches, community centers, or other locations where people regularly gather - the ground upon which such stockpiles are located should be covered with synthetic material (to prevent seepage from the stockpile into the soil) and completely covered with a tarp to reduce airborne transfer of pathogens, odor, dust and fumes - such stockpiles should not be located on slopes and should not be visible from dwellings or roadways - stockpiles should be monitored by DEQ after rain events to ensure that runoff is not dispersed into waterways or roadways - random testing of the contents of such stockpiles by localities who request it should be permitted - access to the site should be available to localities at all times without notice; d. Transfer-type Biosolids Storage Facilities - in cases where transfer-</p>	
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	<p>type biosolids storage facilities (also called Temporary Biosolids Storage Facilities) are permitted by localities, such facilities should be lined and covered with synthetic impermeable material and be located one mile from any inhabited dwelling, public or private roads, wells, streams and other water resources, schools, churches, community centers and other facilities where people regularly gather; e. Testing of Storage Piles/Facilities - On-going monitoring of the site (e.g. once a month) should be conducted by DEQ via testing of soil and water for petroleum organics and other volatile organic compounds, heavy metals, pathogens, PCBs and other radioactive wastes and other compounds not tested for at the source - companies should pay for the tests; f. Random Testing of Storage Piles/Facilities - these facilities should be subject to regulated closure that includes testing of soil and water resources with provisions in the regulations; h. Land application - Land application of biosolids should not be permitted within one-half mile of inhabited dwellings or within one mile of schools or nursing homes; i. Regulation of Class A Biosolids - Class A biosolids should be regulated in the same way as Class B biosolids; j. Public Notice Processes - DEQ should request from companies and post electronically specific sites and sources for biosolids in advance of the application of biosolids, even if less than a week in advance, which would allow localities to provide notice to neighbors living within 1 mile of such application - such information should be provided in a readily accessible form - sites could be mapped using GPS; k. Records - a record of specific sources of biosolids applied to or stored on each site might be important in the future should unseen or unexpected problems develop with biosolids at the source.</p>	
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<p>Riddlebarger, Ray and Kay</p>	<p>Support the recommendations submitted by Mary Carwile of the Commonwealth Coalition. In addition recommend that there be a 1 mile buffer established between the application site and any spring, pond, lake, stream or river.</p>	<p>Recommendations accepted and taken under consideration during the drafting of the regulation amendments.</p>
<p>Rubin, Barbara L.</p>	<p>There needs to be an immediate moratorium on this outrageously toxic material.</p>	<p>Recommendation accepted and taken under consideration.</p>
<p>Stoneman, III, Wilmer N.</p>	<p>Support the proposed regulatory process that will further modify the previous health department regulations so they can work under the DEQ framework. The use of general permits and other tools the department has as normal operating procedure will facilitate proper application of biosolids and offer any protective measures necessary. However, this is not the right time or opportunity to fix parts of the program that are not broken.</p>	<p>Recommendations accepted and taken under consideration during the drafting of the regulation amendments.</p>
<p>Trumbo, Susan</p>	<p>Recommend: a. It is essential to the well-being of the Commonwealth that land application of biosolids continues in an efficient and environmentally safe manner; b. Encourages the Department to create a balanced Technical Advisory Committee of individuals who are highly qualified and prepared to discuss the relevant issues in a professional and respectful manner; c. Please that the Department intends to take up "field storage" regulations that were left incomplete in the program transition - field storage is an important tool and is imperative to being able to manage biosolids to meet these requirements; d. Recognize the awkwardness created by adoption without changes of the Biosolids Use regulations into the Department's existing program - look forward to developing a program that is efficient, open to the public, with a focus on protecting the environment and health instead of making an appearance and generating forms correctly; e. Encourage the Department to be bold ad consider procedures which may be different than the existing structure - there is</p>	<p>Recommendations accepted and taken under consideration during the drafting of the regulation amendments.</p>

	<p>a need to develop procedures and formates instead of revising and modifying the existing VPA structure - Recommend consideration of when and where a General Permit is effective for some applications - Urge a structure for permit fees that recognizes the variety of farm sizes and the infrequent application on farms such that small farms are not excluded from the program - Request action on the biosolids source list to be a priority to enable competitive bidding on municipal procurement solicitations; f. Take into consideration the ability for procedures, regulations and requirements to be implemented - An awareness of the conditions and circumstances each sector of the industry works within must be balanced with the perceived needs - Accurate costs-benefit evaluation of procedures is needed; g. Take into consideration the difficulty in using the DCR Nutrient Management Plan as an absolute regulatory tool - The Nutrient Management Plan program was meant to be a tool, a guide, a plan - There are conflicts between the variable nature of farming and the finite characteristics of a plan - There needs to be flexibility in the implementation of the Nutrient Management Plan; h. Aware of the questions brought by the public regarding set-backs, buffers, health issues and public notification - Acknowledge that many of the requirements were established based on agronomic and environmental standards - The Department should continue the tradition of developing regulations and requirements based on science and fact; i. The Department should make a priority list and enable completed sections to move forward in the regulatory process rather that the regulations moving forward as a whole.</p>	
<p>Williams, C.W.</p>	<p>VDH consistently came under documented criticism for its failure to properly administer the disposal of sludge pollution in Virginia's rural</p>	<p>Comments accepted and taken under consideration during the drafting of the regulation amendments.</p>

	<p>communities. By late 2006 and early 2007, a decision was made to transfer the disposal authority to DEQ. This action was confirmed on 9-25-07 by the SWCB without public input. Concerned citizens, scientists, physicians, educators, county supervisors and state legislators had consistently sounded the fire alarm of documented harm caused by exposure to sludge pollution constituents. There is no need to comment on NOIRA issues of leaving the sludge pollution piled up in rural communities uncovered and unmonitored for months, changing language when current regulations and statutes are ignored, procuring additional fees that will be spent on DEQ pet projects and administrative perks, establishing buffers when no study nor testing is being performed to determine any safe distance, establishing issues for an "Expert" panel when not even one panelist has been to sludge pollution effects, investigating animal exposure to sludge pollution constituents when DEQ refuses to test sludge or land, seeking State Water Control Board approval when the Board members have been denied data for an informed decision, or volunteering-serving on a committee that is puppeteered by the waste industry entities. Must move forward with advanced thinking in order to achieve sustainable procedures for utilizing sludge pollution in a manner that is protective of safety, health and welfare. Antiquated thinking limits our horizons and stagnates our creativity. This limited thinking is illustrated by the waste industry's offered options of landfill, incineration or land application. Energy conversion, mono-fill, nutrient extraction, heavy metal extractions, composition recycling and a host of other more environmentally friendly programs can be developed with today's technology.</p>	
<p>Williams, Lisa L.</p>	<p>Have an economic interest in the proper placement of biosolids.</p>	<p>Recommendations accepted and taken under consideration during the drafting of the</p>

	<p>Support regulations that protect the environment and public health. Supportive of regulatory improvements that are based on scientific data and not speculation. Winter application of biosolids and storage are connected. Request that "field storage" and "nutrient management" discussions be held in concert before making any recommended changes. It is essential for the TAC to consider the development of general permits for all classes of biosolids. This in turn would afford more time for DEQ to focus on compliance and provide a steady land base for nutrients.</p>	<p>regulation amendments.</p>
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In addition to the comments included above, the following comments related to the composting of biosolids were also received during the NOIRA Comment period:

<b>Commenter</b>	<b>Comment</b>	<b>Agency response</b>
<p>Coker, Craig S.</p>	<p>Composting facilities in Virginia were regulated by two separate State agencies: DEQ regulated "solid waste composting" while VDH regulated "biosolids composting". The biosolids program was transferred to DEQ in 2008 but many of the regulatory differences between the two programs were inherited in the transfer. This dichotomy in the regulations of composting facilities creates serious inequities that disadvantage solid waste composting facilities. This disadvantage is one (of several) obstacles to Virginia's ability to raise recycling rates and it creates unfair competitive burdens on private companies in the solid waste composting industry. The main areas of competitive disadvantage to solid waste composters are: more stringent permit application requirements, the imposition of high permit fees for solid waste composting facility (SWCF) permit applications and in the requirement that SWCFs maintain adequate financial assurance for closure and post-closure care. Neither permit application fees nor financial</p>	<p>Recommendations accepted and taken under consideration during the drafting of the regulation amendments.</p>

	<p>assurance requirements apply to either private-owned or publicly-owned biosolids composting facilities, and their permit application requirements are considerable less stringent. Recommend: a. Limit private biosolids composting facilities to receiving only biosolids and wood wastes, and not allow them to accept regulated solid wastes; b. Exempt SWCFs from the financial assurance requirements or impose the same financial assurance requirements on biosolids composting facilities that apply to SWCFs; c. Impose similar permitting fees, or remove the permitting fees for SWCFs; d. Ensure similar and consistent permit application requirements for both types of composting facilities.</p>	
<p>Hale, William N.</p>	<p>There are changes in definitions and other aspects being considered for regulations regarding composting under farm exemptions from licensure. Implore the legislature and all governing agencies not to make any changes without first consulting with a significant portion of those farmers who are now operating under those limits. This is particularly important to those pursuing the certified organic market. It would be in the best interests of all the members of the Commonwealth to have more discussions of these matters, especially including those with a direct stake in the operation of those facilities (farm composting facilities). Doing our best to create an agricultural industry that is a credit to the commonwealth in every sense. Changes in regulations can sometimes have unintended consequences.</p>	<p>Recommendations accepted and taken under consideration during the drafting of the regulation amendments.</p>
<p>Newman, Ken</p>	<p>There are serious inequities in the regulations that adversely affect Solid Waste Composting Facilities - these inequities are "holdovers" from the old VDH regulations. Concerned that biosolids composting facilities can take in regulated solid wastes yet not be required to post financial assurance</p>	<p>Recommendations accepted and taken under consideration during the drafting of the regulation amendments.</p>

	<p>for closure plan requirements. Support the recommendations made by Craig S. Cocker.</p>	
<p>Schonbeck, Mark</p>	<p>Exemptions from solid waste regulations currently apply to composting facilities that handle only yard waste and that do not process any manure whatsoever, or other "putrescible" materials. The current exemptions apply to agricultural operations that take in no more than 6,000 cubic yards of yard waste per year, and non-agricultural land owners who take in no more than 500 cubic yards per year. Small to midscale organic and sustainable farms commonly compost organic residues for on-farm use to provide much or all of their own soil fertility needs through composting on on-farm generated organic residues (plant matter and/or manure + bedding). As the scale of the composting operation increases, the potential for environmental or health impacts increases, and thus some regulation to ensure proper management of the composting operations may be appropriate. Recommend: a. Keep the volume limits for yard composting as they are, and consider urban community gardens and market gardens to be agricultural operations eligible for the 6,000 cubic yard per year limit; b. Add a new exemption for reasonable amounts of manure composting by farms for on-farm use, perhaps with the following stipulations - a limit of perhaps 10 cubic yards of manure per acre of farmland per year ( a reasonable upper limit for nutrient loading on farmland) - a volume ratio of at least 1 part carbon-rich vegetative waste to 1 part manure, with a C:N ratio of at least 25:1; c. Development of reasonable regulations for those agricultural operations that want to establish an enterprise of making high quality compost for sale to other growers and homeowners. Processing farmyard manures by composting with plant matter is the most ecologically sound and</p>	<p>Recommendations accepted and taken under consideration during the drafting of the regulation amendments.</p>

	economically viable means to deal with manure, as it effectively mitigates nutrient pollution and pathogen hazards, and generates a highly viable soil amendment that will help the state realize a more sustainable agriculture and food system.	
Stanbury, Patricia	During the revision of any regulations addressing composting, keep in mind that such an ancient soil building practice needs very little regulation. Small farmers and gardeners often add neighbors' leaves and grass clippings as well as their own chicken litter, cow and horse manure and other readily available biomass that might otherwise be added to the waste stream. Please consider that soil health, the basis of all agriculture, is better maintained through judicious use of compost, cover crops and mulch, than adding 10-10-10, herbicides and pesticides.	Recommendations accepted and taken under consideration during the drafting of the regulation amendments.

**Family impact**

*Please assess the impact of the proposed regulatory action on the institution of the family and family stability including to what extent the regulatory action will: 1) strengthen or erode the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one's spouse, and one's children and/or elderly parents; 3) strengthen or erode the marital commitment; and 4) increase or decrease disposable family income.*

While no impact on the institution of family and family stability is anticipated with these amendments, altering the requirements to use biosolids as a free nutrient source could impact the disposable income of farm families choosing this method of fertilization.

**Detail of changes**

*Please detail all changes that are being proposed and the consequences of the proposed changes. Detail all new provisions and/or all changes to existing sections.*

*If the proposed regulation is intended to replace an emergency regulation, please list separately (1) all changes between the pre-emergency regulation and the proposed regulation, and (2) only changes made since the publication of the emergency regulation.*



For changes to existing regulations, use this chart:

Current section number	Proposed new section number, if applicable	Current requirement	Proposed change and rationale
9VAC25-20-20		Purpose.	Revise to replace the term "sewage sludge" with the term "biosolids" to correct terminology through out the section.
9VAC25-20-60 A 4		Due Dates: ...Additional permit maintenance fees for facilities in a toxics management program and for facilities that have more than five process wastewater discharge outfalls...	Add reference to facilities that are authorized to land apply biosolids: ...Additional permit maintenance fees for facilities that are authorized to land apply biosolids; that are in a toxics management program; or that have more than five process wastewater discharge outfalls...
9VAC25-20-60 B 1		No permit will be automatically continued without payment of the required fee.	Correct terminology: No permit will be administratively continued without payment of the required fee.
9VAC25-20-60 C 1		No permit will be automatically continued without payment of the required fee.	Correct terminology: No permit will be administratively continued without payment of the required fee.
9VAC25-20-60 D		Sewage sludge land application fees.	Revise terminology to clarify requirements: Biosolids land application fees.
9VAC25-20-60 D		Except as specified in this regulation, all fees are due on the day specified by the department. Payment of the fee shall be made by land appliers following notification by the department of the fee due...	Delete current language. Replace with clarifying statement: The department may bill the land applier for amounts due following the submission of the monthly land application report. Payments are due 30 days after receipt of a bill from the department.
9VAC25-20-60 D		Existing permits may be revoked or approved sources may be reclassified as unapproved unless the required fee is paid within 60 days of the notification by the department of the fee due.	Revise to clarify requirements and add statement regarding full payment of past due fee: Existing permits may be revoked or approved sources may be reclassified as unapproved unless the required fee is paid by the due date. No permit will be reissued or administratively continued or modified without full payment of any past due fee.
9VAC25-20-70 A		Address for submission of fees.	Correct address for submission of fees: Receipts Control, P.O. Box 1104, Richmond, Virginia 23218.
9VAC25-20-90 A		Deposit and use of fees. Sludge Management Fund	Replace the term "sewage sludge" with "biosolids" to correct terminology.
9VAC25-20-100		Determination of Fee Amount. General	Replace the term sewage sludge with the term "biosolids" to reflect current

			terminology.
9VAC25-20-110 A		Fee schedule table: VPDES Municipal Minor/1,000 GPD or less that includes authorization for land application or land disposal of sewage sludge.	Revise category: VPDES Municipal - The authorization for land application of biosolids or land disposal of sewage sludge.
9VAC25-20-110 A		Fee schedule table - \$5,000 fee for VPDES Municipal...	Insert footnote reference to clarify requirements.
9VAC25-20-110 A		Fee schedule table footnote: For a new VPDES permit that includes authorization for land application or land disposal of sewage sludge, \$5,000 of the fee will be deposited into the Sludge Management Fund.	Insert footnote reference and revise: For a new VPDES permit that includes authorization for land application of biosolids or land disposal of sewage sludge, the \$5,000 biosolids permit fee will be paid in addition to the required VPDES permit fee.
9VAC25-20-110 B		Virginia Pollution Abatement (VPA) permits fee schedule table VPA Municipal Sludge Operations.	Replace the word "sludge" with the word "biosolids" in the fee schedule table: VPA Municipal Biosolids Operation.
9VAC25-20-120	9VAC25-20-120.A	Fee schedules.	Insert section number to clarify requirements.
9VAC25-20-120 1		(Note: All flows listed in the table below are facility "design" flows.)	Move note to new section 9VAC25-20-120 B and revise to clarify requirements.
9VAC25-20-120 1	9VAC25-20-120 A 1	Fee schedule table.	Add additional category and associated fee: VPDES Municipal - modification relating to the authorization for land application of biosolids or land disposal of sewage sludge; \$1,000*.
9VAC25-20-120 1	9VAC25-20-120 A 1	Fee schedule table footnote: The fee for modification of a VPDES permit due to changes relating to authorization for land application or land disposal of sewage shall be \$1,000.	Insert footnote reference to refer to fee for new category added for VPDES Municipal and revise footnote: The fee for modification of a VPDES permit due to changes relating to authorization for land application of biosolids or land disposal of sewage sludge shall be \$1,000, notwithstanding other modification fees incurred. The modification fee shall apply for the addition of land application sites to a permit when a public meeting is required as specified in 9VAC25-31-290 I 2.
9VAC25-20-120 2	9VAC25-20-120 A 2	Virginia Pollution Abatement (VPA) permits.	Section renumbered to account for addition of new section number.
9VAC25-20-120 2	9VAC25-20-120 A 2	(Note: Land application rates listed in the table below are facility "design" rates.	Delete: Now included as new section 9VAC25-20-120 B

9VAC25-20-120 2	9VAC25-20-120 A 2	VPA application fee table: VPA Municipal Sludge Operation	Replace the word "sludge" with the word "biosolids: VPA Municipal Biosolids Operation.
9VAC25-20-120 2	9VAC25-20-120 A 2	VPA application fee table.	Add foot note reference to the fee for VPA Municipal Biosolids Operation and add footnote to clarify requirements: The modification fee shall apply for the addition of land application sites to a permit when a public meeting is required as specified in 9VAC25-32-140 C 2.
9VAC25-20-120 3	9VAC25-20-120 A 3	Virginia Water Protection (VWP) permits.	Section renumbered to account for addition of new section number.
9VAC25-20-120 4	9VAC25-20-120 A 4	Surface Water Withdrawal (SWW) permits	Section renumbered to account for addition of new section number.
9VAC25-20-120 5	9VAC25-20-120 A 5	Ground Water Withdrawal (GWW) Permits	Section renumbered to account for addition of new section number.
	9VAC25-20-120 B		Add to clarify requirements and to improve flow of section: All rates listed in the tables provided in this section are facility "design" rates unless noted otherwise.
9VAC25-20-142 A 1		Virginia Pollutant Discharge Elimination System (VPDES) permitted facilities permit maintenance fees.	Add new category of fee with associated fee and footnote reference: VPDES Municipal - authorization for land application of biosolids or land disposal of sewage sludge: \$1,000*
9VAC25-20-142 A 1		Fee schedule	Add footnote to clarify new fee for VPDES Municipal: *The maintenance fee for the authorization of land application of biosolids or land disposal of sewage sludge shall be \$1,000, in addition to the VPDES municipal maintenance fee, if land application of biosolids or land disposal of sewage sludge has occurred in the 12 months preceding the maintenance fee due date.
9VAC25-20-142 A 2		Virginia Pollution Abatement (VPA) permits - permit maintenance fees: VPA Municipal Sludge Operation.	Replace the word "sludge" with the word "biosolids": VPA Municipal Biosolids Operation in the Virginia Pollution Abatements (VPA) permits fee table.
9VAC25-20-142 A 2		Maintenance Fee for VPA Municipal Sludge Operation Permit: \$750	Revise new category of VPA Municipal Biosolids Operation Permit Maintenance fee to \$500.
9VAC25-20-146		Part IV Sewage Sludge Fees and Reimbursable Costs	Revise Part Header to reflect current terminology usage: Part IV Biosolids Fees and Reimbursable Costs
9VAC25-20-146 B 3		Disbursement of the established fee...implementation of the sewage sludge application program.	Revise to reflect current terminology usage: Disbursement of the established fee...implementation of the biosolids application program.
9VAC25-20-147 A		Records...Such records shall be maintained by the	Revise to clarify requirements: Records...Such records shall be

		permittee in a form that is available for inspection by the department for five years after the date of the activity...	maintained by the permittee for five years after the date of the activity in a form that is available for inspection by the department.
9VAC25-20-147 A		Records...Records of land application activities shall include the following minimum information:	Revise to clarify requirements: Records...Records of land application activities shall include at minimum:
9VAC25-20-147 A 2		Identification of land application site, including the county where taxes are remitted and permitted site identification name, letters and numbers as appropriate.	Revise to incorporate the use of a DEQ control number in lieu of county and permitted site identification information: Identification of land application site, including the DEQ control number.
9VAC25-20-147 A 3		The source of biosolids and approximate field area receiving those biosolids.	Revise: The source of biosolids and field area receiving those biosolids.
9VAC25-20-147 A 5		Records and reports. Dates and type of any interactions with local monitors and names of individuals involved in the interactions.	Delete requirement - This requirement is too general and of little use.
9VAC25-20-147 A 6	9VAC25-20-147 A 5	Records and reports	Revise requirement numbering to account for deletion of previous requirement.
9VAC25-20-147 B		Reports and notification. The permittee shall submit a monthly report by the 15th day of the month unless another date is specified in the permit in accordance with 9VAC25-32-80 I 4.	Wording modified for clarity: Reports and notification. The permittee shall submit a monthly report by the 15th of the month following the month that land application occurs, unless another date is specified in the permit (in accordance with 9VAC25-32-80 I 4).
9VAC25-20-147 B		That report shall include the recorded information listed in subsection A of this section and present a calculation of the total fee that is required in accordance with this regulation.	Wording modified for clarity and deletion of unnecessary language: The report shall include the recorded information listed in subsection A of this section and shall include a calculation of the total fee.
9VAC25-20-147 B		The submitted report shall include a summary list of the total amount of biosolids applied and the calculated fee based on the land-applied biosolids for each county in which land application occurred in alphabetical order by county.	Revise to clarify requirements - Each permit will include only one county: The submitted report shall include a summary list of the total amount of biosolids applied and the calculated fee based on the land-applied biosolids for each county in which land application occurred.

9VAC25-20-148	9VAC25-20-148 A	Reimbursable local monitoring costs. Kinds of activities for which expenses may be submitted for reimbursement	Add section numbering to clarify requirements.
9VAC25-20-148	9VAC25-20-148.A	The following describes the kinds of activities for which expenses may, if reasonable be submitted for reimbursement:	Reworded for clarity: Reasonable expenses for the following types of activities may be submitted for reimbursement:
9VAC25-20-148 1	9VAC25-20-148 A 1	Reimbursable activities	Add section numbering to clarify requirements.
9VAC25-20-148 2	9VAC25-20-148 A 2	Reimbursable activities	Add section numbering to clarify requirements.
9VAC25-20-148 2	9VAC25-20-148 A 2	Reimbursable activities - Charges and expenses, including local travel for site monitoring, inspections, collection and delivery of samples to a nearby laboratory and examination of records.	Revised wording to exclude surface and ground water sampling. This type of sampling would only be done in response to a compliance investigation and would be conducted by DEQ staff in order to maintain QA/QC. Add phrase "biosolids or soil samples" to qualify and clarify the term "samples". Charges and expenses, including local travel for site monitoring, inspections, collection and delivery of biosolids or soil samples to a nearby laboratory and examination of records.
9VAC25-20-148 3	9VAC25-20-148 A 3	Reimbursable activities	Add section numbering to clarify requirements.
9VAC25-20-148 4	9VAC25-20-148 A 4	Reimbursable activities	Add section numbering to clarify requirements.
9VAC25-20-148 5	9VAC25-20-148 A 5	Reimbursable activities	Add section numbering to clarify requirements.
9VAC25-20-148 6	9VAC25-20-148 A 6	Reimbursable activities	Add section numbering to clarify requirements.
	9VAC25-20-148 B		Add "Charges for site monitoring not associated with determining compliance with state or federal law or regulation are ineligible for reimbursement. Added to exclude charges for enforcing compliance with a county ordinance more restrictive than DEQ.
9VAC25-20-149	9VAC25-20-149 A	Reimbursement of local monitoring costs deemed reasonable by the department...	Section numbered to clarify requirements.
9VAC25-20-149	9VAC25-20-149 A	Reimbursement of local monitoring costs deemed reasonable by the department will be made in order of receipt of an acceptable invoice. Such invoices will be reimbursed for reasonable	Section rewritten to reflect the new fee collection structure: Reimbursement of local monitoring costs deemed reasonable by the department will be made for costs up to \$2.50 per dry ton of biosolids applied in a county during the period of time specified in the submitted invoice. Costs of up to \$4.00 per dry ton

		costs up to \$2.50, as adjusted, per ton of biosolids land applied in a county during the...costs were incurred, based on the order of receipt of the invoice.	of biosolids land applied in a county during the period of time that the costs were incurred may be reimbursed with prior approval from the department.
9VAC25-20-149 A	9VAC25-20-149 B	Application.	Section renumbered for clarification of requirements and to account for renumbering of section.
9VAC25-20-149 A	9VAC25-20-149 B	Application...	Section modified to clarify requirements. Replacement of the term "is to" with the word "shall" to clarify requirements.
9VAC25-20-149 B	9VAC25-20-149 C	Application forms and submittal	Section renumbered to accommodate revised numbering of section language.
9VAC25-20-149 B 1	9VAC25-20-149 C 1	Form 1 - Reimbursement Application	Section renumbered to accommodate revised numbering of section language.
9VAC25-20-149 B 1	9VAC25-20-149 C 1	Form 1 - Reimbursement Application	Section reworded to change the word "should" to "shall".
9VAC25-20-149 B 1	9VAC25-20-149 C 1	Form 1 - Reimbursement Application...Include legible copies of invoices signed by the local biosolids monitor or agent who performed or managed the monitoring activities.	Correct grammar: Invoices signed by the local biosolids monitor or agent who performed or managed the monitoring activities shall be legible.
9VAC25-20-149 B 1 a	9VAC25-20-149 C 1 a	Form 1 - Reimbursement Application	Renumbered to accommodate revised numbering of section language.
9VAC25-20-149 B 1 b	9VAC25-20-149 C 1 b	Form 1 - Reimbursement Application	Renumbered to accommodate revised numbering of section language.
9VAC25-20-149 B 1 b	9VAC25-20-149 C 1 b	Form 1 - Reimbursement Application...Number or site address;	Revised to require that the DEQ control number for each field is to be used as the identifier: DEQ control number for application fields;
9VAC25-20-149 B 1 c	9VAC25-20-149 C 1 c	Form 1 - Reimbursement Application	Renumbered to accommodate revised numbering of section language.
9VAC25-20-149 B 1 d	9VAC25-20-149 C 1 d	Form 1 - Reimbursement Application	Renumbered to accommodate revised numbering of section language.
9VAC25-20-149 B 1 e	9VAC25-20-149 C 1 e	Form 1 - Reimbursement Application	Renumbered to accommodate revised numbering of section language.
9VAC25-20-149 B 1 f	9VAC25-20-149 C 1 f	Form 1 - Reimbursement Application	Renumbered to accommodate revised numbering of section language.
9VAC25-20-149 B 1 g	9VAC25-20-149 C 1 g	Form 1 - Reimbursement Application	Renumbered to accommodate revised numbering of section language.
9VAC25-20-149 B 1 h	9VAC25-20-149 C 1 h	Form 1 - Reimbursement Application	Renumbered to accommodate revised numbering of section language.
9VAC25-20-149 B	9VAC25-20-149 C 2	The application requires the county administrator to certify...	Section numbered to clarify requirements.
9VAC25-20-149 B 2	9VAC25-20-149 C 3	Form 2 - Multiple Owners Payment Assignment Form	Renumbered to accommodate revised numbering of section language.
9VAC25-20-149 B 2		Submittal of the original completed reimbursement	Requirement deleted. References an address. The address can change and is

		application...	best included in guidance.
9VAC25-20-149 C	9VAC25-20-149 D	Processing applications.	Section renumbered to accommodate revised numbering of section language.
9VAC25-20-149 C 1	9VAC25-20-149 D 1	Processing applications.	Grammatical correction: Replace word "cure" with "correct".
9VAC25-20-149 C 1	9VAC25-20-149 D 1	Processing applications...An application that does not contain all of the required information after the 14-day time frame may be rejected or processed "as is", which can result in complete denial or a partial reimbursement.	Revised to delete unnecessary narrative statement...An application that does not contain all of the required information after the 14-day time frame may be rejected.
9VAC25-20-149 C 2	9VAC25-20-149 D 2	...Likewise, invoices submitted in previous claims will not be eligible documentation for reimbursement of costs in subsequent claims...	Revised to correct grammar and for clarity: ...Invoices submitted in previous claims are not eligible documentation for reimbursement of costs in subsequent claims...
9VAC25-20-149 D	9VAC25-20-149 E	Reconsideration process.	Section renumbered to accommodate revised numbering of section language.
9VAC25-20-149 D 1	9VAC25-20-149 E 1	Reconsideration process.	Section renumbered to accommodate revised numbering of section language.
9VAC25-20-149 D 1	9VAC25-20-149 E 1	Claimants may submit a written response indicating why costs denied on the reimbursement decision should be paid.	Revised for clarity: Claimants may submit a written response indicating why they believe costs denied on the reimbursement decisions should be paid.
9VAC25-20-149 D 2	9VAC25-20-149 E 2	If the claimant disagrees...	Section renumbered to accommodate revised numbering of section language.
9VAC25-20-149 D	9VAC25-20-149 E 2 a	If filing deadlines are not met the decisions in the reimbursement payment package is final.	Requirement numbered to clarify requirements.
9VAC25-20-149 D	9VAC25-20-149 E 2 b	Upon receipt of this information...	Requirement numbered to clarify requirements.
9VAC25-20-149 D 3	9VAC25-20-149 E 3	Opportunity to contest decisions.	Requirement numbered to clarify requirements.
9VAC25-20-149 D 4	9VAC25-20-149 E 4	The reconsideration procedures provide the department the opportunity to correct certain errors. The following types of errors can be corrected:	Revised to clarify requirements The reconsideration procedures provide the department the opportunity to correct certain errors as follows:
9VAC25-20-149 D 4 a	9VAC25-20-149 E 4 a	Reconsideration procedures...	Renumbered to accommodate revised numbering of section language.
9VAC25-20-149 D 4 b	9VAC25-20-149 E 4 b	Reconsideration procedures...	Renumbered to accommodate revised numbering of section language.
9VAC25-20-149 D 4 c	9VAC25-20-149 E 4 c	Reconsideration procedures...	Renumbered to accommodate revised numbering of section language.
9VAC25-20-	9VAC25-20-	...Notwithstanding the	Renumbered to accommodate revised

149 D 5	149 E 5	above, some types of errors cannot be corrected.	numbering of section language.
9VAC25-20-149 D 5	9VAC25-20-149 E 5	...Notwithstanding the above, some types of errors cannot be corrected.	Reworded for clarity: Errors ineligible for reconsideration. Notwithstanding the above, some types of errors cannot be corrected using the reconsideration process.
9VAC25-20-149 D 5	9VAC25-20-149 E 5	...It is the responsibility of the claimant or the consultant, or both, to ensure that all application forms (invoice forms, and sampling and testing verification) are completely and accurately filled out...	Reworded for clarity: It is the responsibility of the claimant or the consultant, or both, to ensure that all application forms (invoice forms, and sampling and testing verification) are complete and accurate.
9VAC25-20-149 D 5	9VAC25-20-149 E 5	...Failure to exercise proper care in preparing an application may result in a denial of costs, which cannot be corrected through the reconsideration process, including...	Reworded for clarity: The following types of errors may result in a denial of costs:
9VAC25-20-149 D 5 a	9VAC25-20-149 E 5 a	Types of errors: Items omitted from the invoice form will not be eligible for reimbursement.	Renumbered and revised: Items omitted from the invoice form;
9VAC25-20-149 D 5 b	9VAC25-20-149 E 5 b	Types of errors: Unverified sampling and testing results will not be eligible for reimbursement.	Renumbered and revised: Unverified sampling and testing results:
9VAC25-20-149 D 5 c	9VAC25-20-149 E 5 c	Types of errors: No additions or revisions to the invoice forms will be accepted from the claimant after the reviewer forwards the verification package to the department.	Renumbered and revised: Additions or revisions to the invoice forms submitted after the reviewer forwards the verification package to the department
9VAC25-20-149 D 5 d	9VAC25-20-149 E 5 d	Types of errors: Using one invoice in multiple claims...	Renumbered.
9VAC25-20-149 D 5 e		The following are types of errors that cannot be corrected...	Delete wording to clarify listing of requirements.
9VAC25-20-149 D 5 e (1)	9VAC25-20-149 E 5 e	Types of errors: Failure to claim performed work on the invoice;	Renumbered and reworded: Failure to claim performed work on the invoice form;
9VAC25-20-149 D 5 e (2)	9VAC25-20-149 E 5 f	Types of errors: Failure to claim sampling and testing costs as authorized;	Renumbered and reworded: Failure to claim sampling and testing costs as authorized; or,
9VAC25-20-149 D 5 e (3)			Delete requirement.



9VAC25-20-149 D 5 e (4)			Delete requirement.
	9VAC25-20-149 E 5 g		Add: Failure to obtain prior approval from the department for costs that exceed \$2.50 per dry ton of biosolids land applied.
9VAC25-31-10		Definitions: Applicable standards and limitations.	Revise definition: Insert term "biosolids use" and delete the words "use or" as it refers to sewage sludge disposal.
9VAC25-31-10		Definitions: Interference.	Revise definition: Insert term "biosolids use" and delete the words "use or" as it refers to sewage sludge disposal.
9VAC25-31-10		Definitions: Sewage sludge use or disposal practice.	Revise definition to refer to the "use of biosolids or disposal of sewage sludge".
9VAC25-31-10		Definitions: Sludge-only facility.	Revise definition: Insert term "biosolids use" and delete the words "use or" as it refers to sewage sludge disposal.
9VAC25-31-10		Definitions: Standards for sewage sludge use or disposal.	Revise term and definition: Insert term "biosolids use" and delete the words "use or" as it refers to sewage sludge disposal.
9VAC25-31-10		Definitions: Virginia Pollutant Discharge Elimination System.	Revise definition: Insert term "of biosolids" to refer to the use of biosolids instead of the use of sewage sludge.
9VAC25-31-60 A		Effect of a permit.	Add subsection heading to clarify requirements" Compliance with a permit.
9VAC25-31-60 A 1		Effect of a permit.	Revise definition: Insert term "biosolids use or" and delete the words "use or" as it refers to sewage sludge disposal.
9VAC25-31-60 A 2		Effect of a permit.	Revise definition: Insert term "biosolids use or" and delete the words "use or" as it refers to sewage sludge disposal.
9VAC25-31-100 A		Duty to Apply: Any person who discharges or proposes to discharge pollutants or...	Revise text to clarify requirements: Revise to read: Duty to apply. The following shall submit a complete application to the department in accordance with this section:
	9VAC25-31-100 A 1		Originally part of 9VAC25-31-100: Clarifies those with a duty to apply.
	9VAC25-31-100 A 2		Originally part of 9VAC25-31-100: Clarifies those with a duty to apply.
	9VAC25-31-100 A 3		Originally part of 9VAC25-31-100: Clarifies those with a duty to apply.
	9VAC25-31-100 B		Add new section to clarify exceptions to submittal requirements.
	9VAC25-31-100 B 1		Originally part of 9VAC25-31-100: Clarifies exceptions.
	9VAC25-31-100 B 2		Originally part of 9VAC25-31-100: Clarifies exceptions.
	9VAC25-31-100 B 3		Originally part of 9VAC25-31-100: Clarifies exceptions.
9VAC25-31-100 B	9VAC25-31-100 C	Who applies. When a facility or activity is owned by one person but it is	Renumbered to account for addition of new section. Revised to read: Who applies:

		operated by another person, it is the operator's duty to obtain a permit.	
	9VAC25-31-100 C 1		Added to clarify requirements: The owner of the facility or operation.
	9VAC25-31-100 C 2		Originally part of 9VAC25-31-100 B. Moved to clarify requirements. When a facility or activity is owned by one person but it is operated by another person, it is the operator's duty to obtain a permit.
	9VAC25-31-100 C 3		Added to clarify requirements: Notwithstanding the requirements of C 2, biosolids land application by the operator may be authorized by the owner's permit.
9VAC25-31-100 C	9VAC25-31-100 D		Section renumbered due to addition of new sections.
9VAC25-31-100 C 2	9VAC25-31-100 D 2	All TWTDS whose sewage sludge use or disposal practices are regulated by...	Section renumbered due to addition of new sections. Revise to clarify requirements and correct terminology: All TWTDS whose biosolids use or sewage sludge disposal practices are regulated by...
9VAC25-31-100 C 2 b	9VAC25-31-100 D 2 b	Any other TWTDS not addressed under subdivision 2 a of this subsection must submit the information listed in subdivisions 2 b(1) through (5) of this subsection to the department within one year after publication of a standard applicable to its sewage sludge use or disposal practice(s)...	Section renumbered due to addition of new sections. Revise to clarify requirements; correct terminology; and to correct grammatical errors: Any other TWTDS not addressed under subdivision 2 a of this subsection must submit the information listed in subdivisions 2 b (1) through (5) of this subsection to the department within one year after publication of a standard applicable to its biosolids use or sewage sludge disposal practice or practices...
9VAC25-31-100 C 2 b (3)	9VAC25-31-100 D 2 b (3)	A description of sewage sludge use or disposal practices. Unless the sewage sludge meets the requirements of subdivision P 8 d of this section, the description must include the name and address of any facility where sewage sludge ...	Section renumbered due to addition of new sections. Revise to clarify requirements; correct terminology; and to correct grammatical errors: A description of the biosolids use or sewage sludge disposal practices. Unless the biosolids meets the requirements of subdivision Q 9 d of this section, the description must include the name and address of any facility where biosolids or sewage sludge...
9VAC25-31-100 C 2 b (5)	9VAC25-31-100 D 2 b (5)	The most recent data the TWTDS may have on the quality of the sewage sludge.	Section renumbered due to addition of new sections. Revise to clarify requirements: The most recent data the TWTDS may have on the quality of the biosolids or sewage sludge.
9VAC25-31-100 C 2 d	9VAC25-31-100 D 2 d	Any TWTDS that commences operations	Section renumbered due to addition of new sections. Revise to clarify

		after promulgation of an applicable standard for sewage sludge use or disposal shall...	requirements: Any TWTDS that commences operations after promulgation of an applicable standard for biosolids use or sewage sludge disposal shall...
9VAC25-31-100 D	9VAC25-31-100 E		Section renumbered due to addition of new sections.
9VAC25-31-100 E	9VAC25-31-100 F		Section renumbered due to addition of new sections.
9VAC25-31-100 E 5	9VAC25-31-100 F 5	...no application for a permit or variance to authorize the storage of sewage sludge shall be complete unless it contains certification from the governing body of the locality in which the sewage sludge is to be stored...	Section renumbered due to addition of new sections. Revise to clarify requirements and correct terminology: ...no application for a permit or variance to authorize the storage of biosolids shall be complete unless it contains certification from the governing body of the locality in which biosolids is to be stored...
	9VAC25-31-100 F 6		Add requirement: No application for a permit to land apply biosolids in accordance with Part VI (9VAC25-31-420 et seq.) of this chapter shall be complete unless it includes the written consent of the landowner to apply biosolids on his property.
9VAC25-31-100 F	9VAC25-31-100 G	Information requirements.	Section renumbered due to addition of new sections. Section reference revised to account for change in section numbering: ...(additional information required of applicants is set forth in subsection H through L of this section).
9VAC25-31-100 G	9VAC25-31-100 H	Application requirements.	Section renumbered due to addition of new sections. Section reference revised to account for change in section numbering: ...except for those facilities subject to the requirements of 9VAC25-31-100 I...
9VAC25-31-100 G 7	9VAC25-31-100 H 7	Information on the discharge of pollutants...	Section renumbered due to addition of new sections. Section reorganized to clarify requirements.
9VAC25-31-100 G 7	9VAC25-31-100 H 7 a	Information on the discharge of pollutants...	Originally part of 9VAC25-31-100 G 7. Material shifted to clarify requirements.
9VAC25-31-100 G 7 c	9VAC25-31-100 H 7 c	Every applicant must report quantitative data...	Section renumbered due to addition of new sections. Section reorganized to clarify requirements.
9VAC25-31-100 G 7 c	9VAC25-31-100 H 7 c (1)		Originally listed as part of 9VAC25-31-100 G 7 c Material numbered to clarify requirements.
9VAC25-31-100 G 7 c	9VAC25-31-100 H 7 c (2)		Originally part of 9VAC25-31-100 G 7 c Material numbered to clarify requirements.
9VAC25-31-100 G 7 c	9VAC25-31-100 H 7 c (3)		Originally part of 9VAC25-31-100 G 7 c Material numbered to clarify requirements.

9VAC25-31-100 G 7 c	9VAC25-31-100 H 7 c (4)		Originally part of 9VAC25-31-100 G 7 c Material numbered to clarify requirements.
9VAC25-31-100 G 7 c	9VAC25-31-100 H 7 c (5)		Originally part of 9VAC25-31-100 G 7 c Material numbered to clarify requirements.
9VAC25-31-100 G 7 c	9VAC25-31-100 H 7 c (6)		Originally part of 9VAC25-31-100 G 7 c Material numbered to clarify requirements.
9VAC25-31-100 G 7 c	9VAC25-31-100 H 7 c (7)		Originally part of 9VAC25-31-100 G 7 c Material numbered to clarify requirements.
9VAC25-31-100 G 7 e	9VAC25-31-100 H 7 e	Each applicant with processes in one or more primary industry category (see 40 CFR Part 122 Appendix A (2005)) contributing to a discharge must report quantitative data for the following pollutants in each outfall process wastewater:	Add exception statement to end of section: ...except as indicated in (3); (4); and (5) of this subsection:
	9VAC25-31-100 H 7 e (3)		Add exception for coal mines. Originally included in section as part of Note 1.
	9VAC25-31-100 H 7 e (4)		Add exceptions language for industry categories. Originally included in section as part of Note 2.
	9VAC25-31-100 H 7 e (4) (a)		Add exception related to the Greige Mills Subcategory of the Textile Mills Industry. Originally included in section as part of Note 2.
	9VAC25-31-100 H 7 e (4) (b)		Add exception related to the Base and Precious Metals Subcategory of the Ore Mining and Dressing industry. Originally included in section as part of Note 2.
	9VAC25-31-100 H 7 e (4) (c)		Add exception related to the Porcelain Enameling industry. Originally included in section as part of Note 2.
	9VAC25-31-100 H 7 e (5)		Add exceptions language for industry categories. Originally included in section as part of Note 3.
	9VAC25-31-100 H 7 e (5) (a)		Add exception for the Tan Oil Rosin Subcategory and the Rosin-Based Derivatives Subcategory of the Gum and Wood Chemical Industry. Originally included in section as part of Note 3.
	9VAC25-31-100 H 7 e (5) (b)		Add exception for the leather tanning and finishing; paint and ink formulation; and photographic supplies industrial categories. Originally included in section as part of Note 3.
	9VAC25-31-100 H 7 e (5) (c)		Add exception for the acid, base/neutral and pesticide fractions in the petroleum refining industrial category. Originally included in section as part of Note 3.

	9VAC25-31-100 H 7 e (5) (d)		Add exception for the pesticide testing fraction in the Papergrade Sulfite subcategories of the Pulp and Paper industry. Originally included in section as part of Note 3.
	9VAC25-31-100 H 7 e (5) (e)		Add exception for base/neutral fraction in the Once-Through Cooling Water, Fly Ash and Bottom Ash Transport Water process wastestreams of the Steam Electric Power Plan industrial category.
9VAC25-31-100 H 7 f (1)	9VAC25-31-100 H 7 f		Section renumbered to clarify requirements.
9VAC25-31-100 H 7 f (2)	9VAC25-31-100 H 7 g		Section renumbered to clarify requirements.
9VAC25-31-100 H 7 g	9VAC25-31-100 H 7 h		Section renumbered to account for section renumbering.
9VAC25-31-100 H 7 h	9VAC25-31-100 H 7 i		Section and subsections renumbered to account for revised section numbering.
9VAC25-31-100 H	9VAC25-31-100 I	Application requirements for manufacturing...	Section renumbered due to addition of new sections.
9VAC25-31-100 I	9VAC25-31-100 J	Application requirements for new and existing concentrated animal feeding operations...	Section renumbered due to addition of new sections.
9VAC25-31-100 J	9VAC25-31-100 K	Application requirements for new and existing POTWs...	Section renumbered due to addition of new sections.
9VAC25-31-100 J 4 a	9VAC25-31-100 K 4 a	Effluent monitoring for specific parameters.	Section renumbered due to addition of new sections. Correct section reference due to section renumbering: As provided in subdivisions 4 b through 4 k of this section...
9VAC25-31-100 J 4 c	9VAC25-31-100 K 4 d	Facilities that do not use chlorine for disinfection...	Material numbered to clarify requirements.
9VAC25-31-100 J 4 d	9VAC25-31-100 K 4 e	All POTWs with a design flow equal...	Section renumbered due to addition of new section number.
9VAC25-31-100 J 4 e	9VAC25-31-100 K 4 f	The board may require sampling...	Section renumbered due to addition of new section number.
9VAC25-31-100 J 4 f	9VAC25-31-100 K 4 g	Applicants must provide data...	Section renumbered due to addition of new section number.
9VAC25-31-100 J 4 g	9VAC25-31-100 K 4 h	All existing data for pollutants specified...	Section renumbered due to addition of new section number. Correct section reference due to renumbering.
9VAC25-31-100 J 4 h	9VAC25-31-100 K 4 i	Applicants must collect samples of effluent...	Section renumbered due to addition of new section number.
9VAC25-31-100 J 4 i	9VAC25-31-100 K 4 j	The effluent monitoring data...	Section renumbered due to addition of new section number.
9VAC25-31-100 J 4 j	9VAC25-31-100 K 4k	Unless otherwise required...	Section renumbered due to addition of new section number.
9VAC25-31-100 K	9VAC25-31-100 L	Application requirements for new sources...	Section renumbered due to addition of new section number.
9VAC25-31-100 L	9VAC25-31-100 M	Variance requests by non-POTWs...	Section renumbered due to addition of new section number.
9VAC25-31-100 M	9VAC25-31-100 N	Variance requests by POTWS...	Section renumbered due to addition of new section number.

9VAC25-31-100 N	9VAC25-31-100 O	Expedited variance procedure...	Section renumbered due to addition of new section number.
9VAC25-31-100 N 1	9VAC25-31-100 O 1	...requirements in subsections L and M of this section...	Correct section reference due to renumbering: ...requirements in subsections M and N of this section...
9VAC25-31-100 N 2	9VAC25-31-100 O 2	A discharger who cannot file a timely complete request...required under subdivisions L 2 a (2) or L 2 b of this section...	Correct section reference due to renumbering: ...required under subdivisions M 2 a (2) or M 2 b of this section...
9VAC25-31-100 O	9VAC25-31-100 P	Recordkeeping: ...required by subdivision C 2 of this section...	Section renumbered due to addition of new section number. Correct section reference: ...required by subdivision D 2 of this section...
9VAC25-31-100 P	9VAC25-31-100 Q	Sewage sludge management. ...subject to subdivision C 2 a of this section...	Section renumbered due to addition of new section number. Correct section reference...subject to subdivision D 2 a of this section...
9VAC25-31-100 P 3	9VAC25-31-100 Q 3	All applicants must identify any generation, treatment, storage, land application or disposal of sewage sludge that occurs in Indian country.	Correct terminology: All applicants must identify any generation, treatment, storage, land application of biosolids, or disposal of sewage sludge that occurs in Indian country.
	9VAC25-31-100 Q 6		Insert subdivision to address the minimum requirements for contents of odor control plans.
	9VAC25-31-100 Q 6 a		Insert requirements for contents of odor control plans.
	9VAC25-31-100 Q 6 b		Insert requirements for contents of odor control plans.
	9VAC25-31-100 Q 6 c		Insert requirements for contents of odor control plans.
	9VAC25-31-100 Q 6 d		Insert requirements for contents of odor control plans.
9VAC25-31-100 P 6	9VAC25-31-100 Q 7	The applicant must submit sewage sludge monitoring data for the pollutants for which limits in sewage sludge have been established...	Section renumbered due to addition of new section number. Correct terminology: The applicant must submit biosolids monitoring data for the pollutants for which limits in biosolids have been established...
	9VAC25-31-100 Q 7 a		Add: When applying for authorization to land apply a biosolids source not previously included in a VPDES or a Virginia Pollution Abatement Permit, the biosolids shall be sampled and analyzed for PCBs. The sample results shall be submitted with the permit application or request to add the source.
9VAC25-31-100 P 6 a	9VAC25-31-100 Q 7 b	The board may require sampling for additional pollutants...	Section renumbered due to addition of new section number.
9VAC25-31-100 P 6 b	9VAC25-31-100 Q 7 c	Applicants must provide data from a minimum of three samples...	Section renumbered due to addition of new section number. Correct terminology: ...Samples must be

			representative of the biosolids...
9VAC25-31-100 P 6 c	9VAC25-31-100 Q 7 d	Applicants must collect...unless an alternative has been specified in an existing sewage sludge permit.	Section renumbered due to addition of new section number. Correct terminology: Applicants must collect...unless an alternative has been specified in an existing biosolids use permit. Add to identify additional PCB condition. Samples for PCB analysis shall be collected and analyzed in accordance with EPA Method 1668.
9VAC25-31-100 P 6 d	9VAC25-31-100 Q 7 d	The monitoring data provided must include...	Section renumbered due to addition of new section number.
9VAC25-31-100 P 7	9VAC25-31-100 Q 8	If the applicant is a person who prepares sewage sludge...	Section renumbered due to addition of new section number. Correct terminology: If the applicant is a person who prepares biosolids or sewage sludge...
9VAC25-31-100 P 7 a	9VAC25-31-100 Q 8 a	If the applicant's facility generates sewage sludge...	Section renumbered due to addition of new section number. Correct terminology: If the applicant's facility generates biosolids or sewage sludge...
9VAC25-31-100 P 7 b	9VAC25-31-100 Q 8 b	If the applicant's facility receives sewage sludge from another facility, the following information for each facility from which sewage sludge is received:	Section renumbered due to addition of new section number. Correct terminology: If the applicant's facility receives biosolids or sewage sludge from another facility, the following information for each facility from which biosolids or sewage sludge is received:
9VAC25-31-100 P 7 c	9VAC25-31-100 Q 8 c	If the applicant's facility changes the quality of sewage sludge through...	Section renumbered due to addition of new section number. Correct terminology: If the applicant's facility changes the quality of biosolids or sewage sludge through...
9VAC25-31-100 P 7 d	9VAC25-31-100 Q 8 d	Total dry metric tons per 365-day period requirement.	Section renumbered due to addition of new section number. Correct terminology: Replace the term sewage sludge with the term biosolids to clarify terminology.
9VAC25-31-100 P 7 e	9VAC25-31-100 Q 8 e	Sewage sludge sold or given away in a bag...subdivision 7 d of this subsection...	Section renumbered due to addition of new section number. Correct terminology: Replace the term sewage sludge with the term biosolids to clarify terminology and revise section reference: subdivision 8 d of this section...
9VAC25-31-100 P 7 e (1)	9VAC25-31-100 Q 8 e (1)	The total dry metric tons per 365-day period of sewage sludge subject to this subsection...	Section renumbered due to addition of new section number. Correct terminology: The total dry metric tons per 365-day period of biosolids subject to this subsection...
9VAC25-31-100 P 7 e (2)	9VAC25-31-100 Q 8 e (2)	A copy of all labels or notices that accompany the sewage sludge being sold or given away.	Section renumbered due to addition of new section number. Correct terminology: A copy of all labels or notices that accompany the biosolids being sold or given away.

9VAC25-31-100 P 7 f	9VAC25-31-100 Q 8 f	If sewage sludge from the applicant's facility is provided to another person who prepares sewage sludge as defined in 9VAC25-31-500, and the sewage sludge is not subject to subdivision 7 d of this subsection, the applicant must provide the following information for each facility receiving the sewage sludge:	Subdivision renumbered due to addition of new section number. Correct terminology and section reference: If biosolids or sewage sludge from the applicant's facility is provided to another person who prepares biosolids, as defined in 9VAC25-31-500, and the biosolids is not subject to subdivision 8 d of this subsection, the applicant must provide the following information for each facility receiving the biosolids or sewage sludge:
9VAC25-31-100 P 7 f (2)	9VAC25-31-100 Q 8 f (2)	The total dry metric tons per 365-day period of sewage sludge...	Subdivision renumbered due to addition of new section number. Correct terminology: The total dry metric tons per 365-day period of biosolids or sewage sludge...
9VAC25-31-100 P 7 f (5)	9VAC25-31-100 Q 8 f (5)	If the receiving facility places sewage sludge in bags or containers for sale or give away to the land, a copy of any labels or notices that accompany the sewage sludge.	Subdivision renumbered due to addition of new section number. Correct terminology and grammar: If the receiving facility places biosolids in bags or containers for sale or give-away for application to the land, a copy of any labels or notices that accompany the biosolids.
9VAC25-31-100 P 8	9VAC25-31-100 Q 9	If sewage sludge from the applicant's facility is applied to the land in bulk form and is not subject to subdivision 7 d, e or f of this subsection...	Subdivision renumbered due to addition of new section number. Correct terminology and section reference: If biosolids from the applicant's facility is applied to the land in bulk form and is not subject to subdivision 8 d; e; or f of this subsection...
9VAC25-31-100 P 8 a	9VAC25-31-100 Q 9 a	The total dry metric tons per 365-day period of sewage sludge...	Subdivision renumbered due to addition of new section number. Correct terminology: The total dry metric tons per 365-day period of biosolids...
9VAC25-31-100 P 8 b	9VAC25-31-100 Q 9 b	If any land application sites are located in states other than the state where the sewage sludge is prepared...	Subdivision renumbered due to addition of new section number. Correct terminology: If any land application sites are located in states other than the state where the biosolids is prepared...
9VAC25-31-100 P 8 c	9VAC25-31-100 Q 9 c	The following information for each land application site...	Subdivision renumbered due to addition of new section number.
9VAC25-31-100 P 8 c (1)	9VAC25-31-100 Q 9 c (1)	The name (if any) and location for the land application site;	Subdivision renumbered due to addition of new section number. Revise to add control number requirement: The DEQ control number, if previously assigned, identifying the land application field or site and the site's location;
9VAC25-31-100 P 8 c (2)	9VAC25-31-100 Q 9 c (2)	The site's latitude and longitude...	Subdivision renumbered due to addition of new section number.
9VAC25-31-100 P 8 c (3)	9VAC25-31-100 Q 9 c (3)	A topographic map (or other map if a topographic	Subdivision renumbered due to addition of new section number. Correct



		map is unavailable) that shows the site's location;	terminology: A legible topographic map of proposed application areas to scale as needed to depict the following features:
	9VAC25-31-100 Q 9 c (3) (a)		Add requirements for features on topographic map.
	9VAC25-31-100 Q 9 c (3) (b)		Add requirements for features on topographic map.
	9VAC25-31-100 Q 9 c (3) (c)		Add requirements for features on topographic map.
	9VAC25-31-100 Q 9 c (3) (d)		Add requirements for features on topographic map.
	9VAC25-31-100 Q 9 c (3) (e)		Add requirements for features on topographic map.
	9VAC25-31-100 Q 9 c (3) (f)		Add requirements for features on topographic map.
	9VAC25-31-100 Q 9 c (3) (g)		Add requirements for features on topographic map.
	9VAC25-31-100 Q 9 c (3) (h)		Add requirements for features on topographic map.
	9VAC25-31-100 Q 9 c (4)		Add information requirement: County map or other map of sufficient detail to show general location of the site and proposed transport vehicle haul routes to be utilized from the treatment plant;
	9VAC25-31-100 Q 9 c (5)		Add information requirement: County Tax Maps for each farm to be included in the permit, which may include multiple fields;
	9VAC25-31-100 Q 9 c (6)		Add information requirement: A USDA soil survey map, if available, of proposed sites for land application of biosolids.
9VAC25-31-100 P 8 c (4)	9VAC25-31-100 Q 9 c (7)	Information requirements.	Section renumbered due to addition of new section number.
9VAC25-31-100 P 8 c (5)	9VAC25-31-100 Q 9 c (8)	Information requirements.	Section renumbered due to addition of new section number. Replace the term sewage sludge with the term biosolids.
9VAC25-31-100 P 8 c (6)	9VAC25-31-100 Q 9 c (9)	Information requirements.	Section renumbered due to addition of new section number.
9VAC25-31-100 P 8 c (7)	9VAC25-31-100 Q 9 c (10)	Information requirements. The type of vegetation grown on the site, if known, and the nitrogen requirement of this vegetation;	Section renumbered due to addition of new section number. Revise: Description of agricultural practices including a list of proposed crops to be grown;
9VAC25-31-100 P 8 c (8)	9VAC25-31-100 Q 9 c (11)	Information requirements.	Section renumbered due to addition of new section number. Replace the term

			sewage sludge with the term biosolids.
	9VAC25-31-100 Q 9 c (12)		Add to information requirements: Pertinent calculations justifying storage and land area requirements for biosolids application including an annual biosolids balance incorporating such factors as precipitation, evapotranspiration, soil percolation rates, wastewater loading, and monthly storage (input and drawdown);
9VAC25-31-100 P 8 c (9)	9VAC25-31-100 Q 9 c (13)	Information requirements.	Subdivision renumbered due to addition of new section number.
	9VAC25-31-100 Q 9 d		Add: For permit applications proposing frequent application of biosolids, the following additional site information will be necessary:
	9VAC25-31-100 Q 9 d (1)		Add: Information specified in subdivisions 2 a and 4 of this section);
	9VAC25-31-100 Q 9 d (2)		Add requirement for information on soil borings.
	9VAC25-31-100 Q 9 d (2) (a)		Add soil test information requirements.
	9VAC25-31-100 Q 9 d (2) (b)		Add soil test information requirements.
	9VAC25-31-100 Q 9 d (2) (c)		Add soil test information requirements.
	9VAC25-31-100 Q 9 d (2) (d)		Add soil test information requirements.
	9VAC25-31-100 Q 9 d (2) (e)		Add soil test information requirements.
	9VAC25-31-100 Q 9 d (2) (f)		Add soil test information requirements.
	9VAC25-31-100 Q 9 d (2) (g)		Add soil test information requirements.
	9VAC25-31-100 Q 9 d (3)		Add additional soil testing requirements.
	9VAC25-31-100 Q 9 d (4)		Add ground water monitoring plan requirement.
9VAC25-31-100 P 8 d	9VAC25-31-100 Q 9 e	Information requirements.	Section renumbered due to addition of new section number. Replace term sewage sludge with the term biosolids and correct section references.
9VAC25-31-100 P 8 d (1)	9VAC25-31-100 Q 9 e (1)	Information requirements.	Section renumbered due to addition of new section number. Replace term sewage sludge with the term biosolids and correct section references.
9VAC25-31-100 P 8 d (2)	9VAC25-31-100 Q 9 e (2)	Information requirements.	Section renumbered due to addition of new section number. Replace term

			sewage sludge with the term biosolids and correct section references.
9VAC25-31-100 P 8 e	9VAC25-31-100 Q 9 f	Information requirements.	Section renumbered due to addition of new section number.
9VAC25-31-100 P 8 e (4)	9VAC25-31-100 Q 9 f (4)	Information requirements.	Section renumbered due to addition of new section number. Revise to clarify requirements: Provides for advance notice to the department of specific land application sites in a manner prescribed by this regulation, 9VAC25-31-485 D; and
	9VAC25-31-100 Q 9 f (5)		Add new subdivision: Provides for advance notice of land application sites in a manner prescribed by this regulation, 9VAC25-31-290.
9VAC25-31-100 P 8 e (5)		Provides for advance public notice of land application sites in a newspaper or general circulation in the area of the land application site. A request to increase the acreage authorized by the permit by 50% or more shall be treated as a new application for purposes of public notice and public hearings.	Delete these requirements from section. Requirements addressed in a different section of the regulations.
	9VAC25-31-100 Q 10		Add requirements for biosolids storage facilities not located at the site of the wastewater treatment plant.
	9VAC25-31-100 Q 10 a		Add requirement for a site layout.
	9VAC25-31-100 Q 10 b		Add requirement to identify the location of any required soil, geologic and hydrologic test holes or borings.
	9VAC25-31-100 Q 10 c		Add requirement to identify specific features.
	9VAC25-31-100 Q 10 c (1)		Identify specific features.
	9VAC25-31-100 Q 10 c (2)		Identify specific features.
	9VAC25-31-100 Q 10 c (3)		Identify specific features.
	9VAC25-31-100 Q 10 c (5)		Identify specific features.
	9VAC25-31-100 Q 10 c (6)		Identify specific features.
	9VAC25-31-100 Q 10 c (7)		Identify specific features.
	9VAC25-31-100 Q 10 c (8)		Identify specific features.
	9VAC25-31-100 Q 10 c (9)		Identify specific features.
	9VAC25-31-		Identify specific features.

	100 Q 10 c (10)		
	9VAC25-31- 100 Q 10 c (11)		Identify specific features.
	9VAC25-31- 100 Q 10 c (12)		Identify specific features.
	9VAC25-31- 100 Q 10 c (13)		Identify specific features.
	9VAC25-31- 100 Q 10 c (14)		Identify specific features.
	9VAC25-31- 100 Q 10 c (15)		Identify specific features.
	9VAC25-31- 100 Q 10 c (16)		Identify specific features.
	9VAC25-31- 100 Q 10 c (17)		Identify specific features.
	9VAC25-31- 100 Q 10 d		Add requirement for topographic map.
	9VAC25-31- 100 Q 10 d (1)		Identify information required on topographic map.
	9VAC25-31- 100 Q 10 d (2)		Identify information required on topographic map.
	9VAC25-31- 100 Q 10 d (3)		Identify information required on topographic map.
	9VAC25-31- 100 Q 10 d (4)		Identify information required on topographic map.
	9VAC25-31- 100 Q 10 e		Add requirement for data and specifications for the liner proposed for seepage control.
	9VAC25-31- 100 Q 10 f		Add requirement for scaled plan view and cross-sectional view of the facilities.
	9VAC25-31- 100 Q 10 g		Add requirement for calculations justifying impoundment capacity.
	9VAC25-31- 100 Q 10 h		Add requirement for groundwater monitoring plans.
	9VAC25-31- 100 Q 11		Add requirement for generic plans for field staging.
	9VAC25-31- 100 Q 12		Add subdivision to address the minimum site specific information required for a biosolids management plan.
	9VAC25-31- 100 Q 12 a		Add subdivision requiring a comprehensive, general description of operation.
	9VAC25-31- 100 Q 12 b		Add subdivision addressing the requirements for the approval of a nutrient management plan.
	9VAC25-31- 100 Q 12 b (1)		Add subdivision regarding sites operated by an owner or lessee of a confined

			animal feeding operation or confined poultry feeding operation
	9VAC25-31-100 Q 12 b (2)		Add subdivision regarding sites where land application more frequently than once every three years at greater than 50% of the annual agronomic rate is proposed.
	9VAC25-31-100 Q 12 b (3)		Add subdivision regarding mined land sites where land application is proposed at greater than agronomic rates.
	9VAC25-31-100 Q 13		Add subdivision to address biosolids transport.
	9VAC25-31-100 Q 13 a		Add subdivision to specify information requirements for biosolids transport.
	9VAC25-31-100 Q 13 b		Add subdivision to specify information requirements for biosolids transport.
	9VAC25-31-100 Q 13 c		Add subdivision to specify information requirements for biosolids transport.
	9VAC25-31-100 Q 13 d		Add subdivision to specify information requirements for biosolids transport.
	9VAC25-31-100 Q 14		Add subdivision to address field operations.
	9VAC25-31-100 Q 14 a		Add subdivision to address the storage component of field operations.
	9VAC25-31-100 Q 14 a (1)		Add subdivision to clarify information requirements for the storage component of field operations.
	9VAC25-31-100 Q 14 a (2)		Add subdivision to clarify information requirements for the storage component of field operations.
	9VAC25-31-100 Q 14 a (3)		Add subdivision to clarify information requirements for the storage component of field operations.
	9VAC25-31-100 Q 14 a (4)		Add subdivision to clarify information requirements for the storage component of field operations.
	9VAC25-31-100 Q 14 b		Add subdivision to address the application methodology component of field storage.
	9VAC25-31-100 Q 14 b (1)		Add subdivision to clarify the information requirements for the application methodology component of field storage.
	9VAC25-31-100 Q 14 b (2)		Add subdivision to clarify the information requirements for the application methodology component of field storage.
	9VAC25-31-100 Q 14 b (3)		Add subdivision to clarify the information requirements for the application methodology component of field storage.
9VAC25-31-100 P 9	9VAC25-31-100 Q 15	An applicant for a permit authorizing the land application of sewage sludge shall provide to the department and to each locality in which the applicant proposes to land	Subdivision renumbered due to addition of new subsection and subdivision numbers. Revise text to refer to new financial responsibility part of the regulations to clarify regulation requirements: An applicant for a permit authorizing the land application of

		apply sewage sludge, written evidence of financial responsibility, including both current liability and pollution insurance, or such other evidence of financial responsibility as the board may establish by regulation in an amount not less than \$1 million per occurrence, which shall be available to pay claims for cleanup costs, personal injury, bodily injury and property damage resulting from the transport, storage and land application of sewage sludge in Virginia...with \$5 million or more in annual gross revenue.	biosolids shall provide to the department, and to each locality in which the applicant proposes to land apply biosolids, written evidence of financial responsibility. Evidence of financial responsibility shall be provided in accordance with requirements specified in the Virginia Pollution Abatement Permit Regulation (9VAC25-32-780).
9VAC25-31-100 P 10	9VAC25-31-100 Q 16	If sewage sludge from the applicant's facility is placed on a surface disposal site...	Subdivision renumbered due to addition of new subsection and subdivision numbers.
9VAC25-31-100 P 11	9VAC25-31-100 Q 17	If the sewage sludge from the applicant's facility is fired in a sewage sludge incinerator...	Subdivision renumbered due to addition of new subsection and subdivision numbers.
9VAC25-31-100 P 12	9VAC25-31-100 Q 18	If sewage sludge from the applicant's facility is sent to a municipal solid waste landfill...	Subdivision renumbered due to addition of new subsection and subdivision numbers.
9VAC25-31-100 P 13	9VAC25-31-100 Q 19	All applicants must provide the name, mailing address, telephone number and responsibilities of all contractors responsible for any operational or maintenance aspects of the facility related to sewage sludge generation, treatment, use or disposal.	Subdivision renumbered due to addition of new section number. Revise to clarify requirements: All applicants must provide the name...aspects of the facility related to biosolids or sewage sludge generation, treatment, use, or disposal.
9VAC25-31-100 P 14	9VAC25-31-100 Q 20	At the request of the board, the applicant must provide other information as necessary...must provide any other information necessary to assess the sewage sludge use and disposal practices...	Subdivision renumbered due to addition of new section number. Revise to clarify requirements: At the request of the board the applicant must provide other information as necessary...must provide any other information necessary to assess the biosolids use and sewage sludge disposal practices...
9VAC25-31-	9VAC25-31-	All applications must be	Section renumbered due to addition of

100 P 15	100 Q 21	signed by a certifying official...	new section number.
9VAC25-31-100 Q	9VAC25-31-100 R	Applications for facilities with cooling water intake structures.	Section renumbered due to addition of new section number.
9VAC25-31-100 Q		Note 1 - Suspension of requirements of 9VAC25-31-100 G 7 e (1)	Delete text. Now part of 9VAC25-31-100 H 7 e.
9VAC25-31-100 Q		Note 2 - Suspension of requirements of 9VAC25-31-100 G 7 e (1)	Delete text. Now part of 9VAC25-31-100 H 7 e.
9VAC25-31-100 Q		Note 3 - Suspension of requirements of 9VAC25-31-100 G 7 e (1)	Delete text. Now part of 9VAC25-31-100 H 7 e.
9VAC25-31-260 D 4		Effluent limitations, standards, prohibitions, standards for sewage sludge use or disposal...	Correct terminology: Revise to refer to standards for biosolids use or sewage sludge disposal...
9VAC25-31-280 A		Fact sheet.	Correct terminology: Replace the term "sewage sludge" with "biosolids".
9VAC25-31-280 B 7		Any calculations or other necessary explanation...	Correct terminology: Insert phrase "biosolids use or" and delete "use or" as is refer to sewage sludge.
9VAC25-31-280 B 11		For permits that include a sewage sludge land application plan...	Correct terminology: Replace the term "sewage sludge" with "biosolids".
9VAC25-31-290 A 1		The board shall give public notice that the following actions have occurred:	Revise to correct current process: The department shall give public notice that the following actions have occurred:
9VAC25-31-290 A 2		Public Notice: No public notice is required when a request for permit modification, revocation and reissuance, or termination is denied under 9VAC25-31-370 B. Written notice of that denial shall be given to the requester and to the permittee. Public notice shall not...as part of application.	Delete third sentence. Language now included as a new 9VAC25-31-290 A 3 for clarification of requirements.
	9VAC25-31-290 A 3		Originally part of 9VAC25-290 A 2. Separated to clarify requirements: Public notice shall not be required for submission or approval of plan and specification or conceptual engineering reports not required to be submitted as part of the application.
9VAC25-31-290 A 3	9VAC25-31-290 A 4	Public notices may describe more than one permit or permit action.	Subdivisions renumbered to account for addition of new subdivision.
9VAC25-31-290 C 1 b		Any other agency which the board knows has	Change in terminology: Replace term "sludge" with "biosolids" and replace

		issued or is required to issue a VPDES, sludge management permit;	"board" with "department". Any other agency which the department knows has issued or is required to issue a VPDES, biosolids management permit.
9VAC25-31-290 C 1 f (3)		Notifying the public	Replace "board" with "department" to reflect the current process.
9VAC25-31-290 C 1 g (1)	9VAC25-31-290 C 1 g	Any unit of local government having jurisdiction over the area where the facility is proposed to be located.	Subdivision renumbered for clarification.
9VAC25-31-290 C 1 g (2)	9VAC25-31-290 C 1 h	Each state agency having any authority under state law with respect to the construction or operation of such facility;	Subdivision renumbered to clarify requirements.
9VAC25-31-290 F		Upon receipt of an application for the issuance of a new...the board shall ;	Grammatical correction. Delete unnecessary space. Replace "board" with "department". Upon receipt of an application for the issuance of a new or modified permit other than those for agricultural production or aquacultural production activities, the department shall;
9VAC25-31-290 F 1		Notify in writing, the locality wherein the discharge or , as applicable, the associated land application of sewage sludge, or land disposal of treated sewage sludge or stabilized septage does or is proposed to take place of, at a minimum:	Grammatical correction. Delete space and make terminology change: Notify in writing, the locality wherein the discharge or, as applicable, the associated land application of biosolids, or land disposal of treated sewage, stabilized sewage sludge or stabilized septage does or is proposed to take place of, at a minimum:
9VAC25-31-290 F 2		Establish a date for a public meeting to discuss technical issues...	Delete section. Requirements now addressed in new section 9VAC25-31-290 G.
9VAC25-31-290 F 3	9VAC25-31-290 F 2	Except for land application...provide this same information...	Subdivision renumbered to reflect deletion of previous subdivision.
9VAC25-31-290 F 3	9VAC25-31-290 F 2	Except for land application of sewage sludge or land disposal of treated sewage...	Change in terminology: Except for land application of biosolids or land disposal of treated sewage...
9VAC25-31-290 F 4		For a site that is to be added to an existing permit...	Delete subdivision. Requirements now addressed in new subsection 9VAC25-31-290 I.
	9VAC25-31-290 G		Add public notice of permit actions and comment period requirements: Whenever the department receives an application for a new permit for land application of biosolids or land disposal of treated sewage, stabilized sewage sludge or stabilized septage, or an application to reissue, with the addition



			of farms, increasing acreage by 50% or more of that authorized by the initial permit, the department shall...
	9VAC25-31-290 H		Add notification requirements: Following the submission of an application for a new permit for land application of biosolids or land disposal of treated sewage, stabilized sewage sludge or stabilized septage DEQ shall notify or cause to be notified persons residing on property bordering the sites that contain the proposed land application fields...
	9VAC25-31-290 I		Add new subsection: Following the submission of an application to add a site that is not contiguous to sites included in an existing permit authorizing the land application of biosolids:
	9VAC25-31-290 I 1		Add new subdivision: The department shall notify persons residing on property bordering such site, and shall receive written comments from those persons for a period of 30 days. Based upon written comments, the department shall determine whether additional site-specific requirements should be included in the authorization for land application at the site.
	9VAC25-31-290 I 2		Add new subdivision formerly part of 9VAC25-31-100 P 8 e (5): An application for any permit amendment to increase the acreage authorized by the initial permit by 50% or more shall be considered a major modification and shall be treated as a new application for purposes of public notice and public hearings. The increase in acreage for the purpose of determining the need for the public meeting is the sum of all acreage that has been added to the permit since the last public meeting, plus that proposed to be added.
9VAC25-31-290 G	9VAC25-31-290 J	Before issuing any permit, if the board finds...	Subsection renumbered to account for the addition of new subsections and replace "board" with "department": Before issuing any permit, if the department finds...the department shall...
9VAC25-31-290 G 1	9VAC25-31-290 J 1	Publish, or require the applicant to publish, a notice...	Subdivision renumbered to account for the addition of new subsections.
9VAC25-31-290 G 2	9VAC25-31-290 J 2	Mail the notice...	Subdivision renumbered to account for the addition of new subsections.
9VAC25-31-290 G 2	9VAC25-31-290 J 3	Written comments shall be accepted by the board for at least 15 days after any	Number part of original section and reword to clarify the requirements and replace "board votes" with "department

		public hearing on the permit, unless the board votes to shorten the period.	decides": Accept written comments for at least 15 days after any public hearing on the permit, unless the department decides to shorten the period.
9VAC25-31-290 G 2		For the purposes of this section, the term "locality particularly affected" means any locality which bears any identified disproportionate material water quality impact which would not be experienced by other localities.	Concept reworded and moved to new 9VAC26-31-290 J 4 to clarify requirements.
9VAC25-31-290 G 2	9VAC25-31-290 J 4		Originally part of 9VAC25-31-290 G 2: Text reorganized to clarify requirements: For the purposes of this section, consider the term "locality particularly affected" to mean any locality which bears any identified disproportionate material water quality impact which would not be experienced by other localities."
9VAC25-31-390 A 16		Causes for modification.	Correct terminology: Replace the term "sewage sludge" with "biosolids".
9VAC25-31-420		Part VI Standards for the Use or Disposal of Sewage Sludge	Correct Part Header to correct terminology: Standards for the Use of Biosolids or Disposal of Sewage Sludge
9VAC25-31-420 A		This part establishes standards...	Correct terminology: Insert the term "of biosolids" and replace the term "sewage sludge" with the term "biosolids" when referring to application to the land and insert the term "sewage sludge" when referring to disposal or placement of a surface disposal site.
9VAC25-31-420 A	9VAC25-31-420 B	In addition, the standards in this part include the frequency of monitoring...	Insert new subsection number to clarify requirements.
9VAC25-31-420 A	9VAC25-31-420 B	...recordkeeping requirements when sewage sludge is applied to the land or placed on a surface disposal site...	Correct terminology: ...recordkeeping requirements when biosolids is applied to the land or sewage sludge is placed on a surface disposal site...
9VAC25-31-420 B		Applicability.	Revise subsection numbering to account for inclusion of new subsection number.
9VAC25-31-420 B 1		This part applies to any person who prepares sewage sludge, or applies sewage sludge to the land...	Subdivision renumbered to account for subsection renumbering. Revise text to correct terminology: This part applies to any person who prepares sewage sludge or biosolids, or applies biosolids to the land...
9VAC25-31-420 B 2		This part applies to sewage sludge applied to the land or placed on a surface disposal site.	Subdivision renumbered to account for subsection renumbering. Revise text to correct terminology: This part applies to biosolids applied to the land or sewage sludge placed on a surface disposal site.

9VAC 25-31-420 B 3		This part applies to land where sewage sludge is applied and to a surface disposal site.	Subdivision renumbered to account for subsection renumbering. Revise text to correct terminology: This part applies to land where biosolids is applied and to a surface disposal site.
9VAC25-31-440 B		No person shall use or dispose of sewage sludge through any practice for which...	Revise to correct terminology - Insert the word "biosolids": No person shall use biosolids or dispose of sewage sludge through any practice for which...
9VAC25-31-460 A		On a case-by-case basis, the board may impose requirements...	Revise to correct terminology: Insert text to refer to the use of biosolids and the effects of pollutants in biosolids in addition to sewage sludge.
9VAC25-31-460 B		Nothing in this part precludes another state agency...	Revise to correct terminology and to refer to both biosolids and sewage sludge.
9VAC25-31-460 C		For sewage sludge land application where...	Correct terminology to refer to biosolids instead of sewage sludge.
9VAC25-31-475 A		In the event of a dispute between a locality that has adopted a local ordinance for testing and monitoring the land application of sewage sludge and a permittee concerning the existence of a violation, the activity alleged to be in violation shall be halted pending a determination by the director. The decision by the director...	Revise to clarify requirements: In the event of a dispute concerning the existence of a violation between a permittee and a locality that has adopted a local ordinance for testing and monitoring of the land application of biosolids, the activity alleged to be in violation shall be halted pending a determination by the director.
9VAC25-31-475 C		Local governments shall promptly notify the department of all results from the testing and monitoring of the land application of sewage sludge...	Revise - Replace the term "sewage sludge" with "biosolids" to correct terminology.
9VAC25-31-475 D		Localities receiving complaints concerning land application of sewage sludge shall notify the department and the permit holder.	Revise and reword to clarify requirements: Local governments receiving complaints concerning land application of biosolids shall notify the department and the permit holder within 24 hours of receiving the complaint.
9VAC25-31-480		Requirement for a person who prepares sewage sludge.	Revise section header to clarify requirements: Requirements for a person who prepares biosolids or sewage sludge.
	9VAC25-31-480 A		Insert text to clarify requirements: Any person who prepares biosolids shall ensure that the applicable requirements in this part are met when biosolids is applied to the land.
9VAC25-31-480	9VAC25-31-480 B	Any person who prepares sewage sludge shall	Insert subsection number to account for inclusion of new text and subsection

		ensure that the applicable requirements in this part are met when the sewage sludge is applied to the land, or placed on a surface disposal site.	number. Revise to correct terminology: Any person who prepares sewage sludge shall ensure that the applicable requirements in this part are met when the sewage sludge is placed on a surface disposal site.
9VAC25-31-485		Requirements for permittees who land apply sewage sludge.	Revise section header: Requirements for permittees who land apply biosolids.
9VAC25-31-485 A		Any person who land applies sewage sludge authorized by a VPDES permit shall be certified in accordance with requirements specified in the Virginia Pollution Abatement Permit Regulation (9VAC25-32).	Revise: Any person who land applies biosolids authorized by a VPDES permit shall be certified in accordance with requirements specified in the Virginia Pollution Abatement Permit Regulation, Article 5 Certification of Land Applicators as set forth in 9VAC25-32-690 through 9VAC25-32-760.
9VAC25-31-485 B		Persons authorized to land apply sewage sludge under a VPDES permit shall report all complaints received by them to the department and the local governing body of the jurisdiction in which the complaint originates.	Delete: Section replaced with revised requirements.
	9VAC25-31-485 B		Add: When an application for a permit that authorizes the land application of biosolids is submitted to the department:
	9VAC25-31-485 B 1		Add requirement for the permit holder to use a unique control number as an identifier for fields permitted for land application.
	9VAC25-31-485 B 2		Add requirement for a written agreement between the landowner and permit applicant or permit holder to be submitted with the permit application and requirements for that agreement.
	9VAC25-31-485 B 3		Add requirement for the submittal of new landowner agreements to be submitted to the department with each application for issuance or reissuance of a permit that authorizes the land application of biosolids.
	9VAC25-31-485 C		Add requirement that the permit holder shall ensure that the land owner agreement is still valid at the time of land application.
	9VAC25-31-485 D		Add section header to clarify requirements: Notification requirements.
9VAC25-31-485 C	9VAC25-31-485 D 1		Numbering revised to clarify requirements.
9VAC25-31-485 C	9VAC25-31-485 D 1	At least 100 days prior to commencing land	Correct terminology - replace term "sewage sludge" with "biosolids".

		application of sewage sludge at a permitted site...	
9VAC25-31-485 C	9VAC25-31-485 D 1	The notice shall identify the location of the permitted site and the expected sources of the sewage sludge to be applied...	Correct terminology – replace term “sewage sludge” with “biosolids”.
	9VAC25-31-485 D 2		Add new section to clarify notification requirements: At least 14 days prior to commencing land application of biosolids at a permitted site, the permit holder shall deliver or cause to be delivered written notification to the department and the chief executive officer or designee for the local government where the site is located. The notice shall include the following:
	9VAC25-31-485 D 2 a		Add requirement for notification to include the name, address and telephone number of permit holder.
	9VAC25-31-485 D 2 b		Add requirement for notification to include an identification number.
	9VAC25-31-485 D 2 c		Add requirement for notification to include a map indicating haul routes.
	9VAC25-31-485 D 2 d		Add requirement for notification to include the name or title and phone number of an individual designated by the permit holder to respond to questions.
	9VAC25-31-485 D 2 e		Add requirement for notification to include the approximate dates on which land application is to begin and end.
	9VAC25-31-485 D 2 f		Add requirement for notification to include the name and telephone number of a contact person at the department.
	9VAC25-31-485 D 2 g		Add requirement for notification to include the name, address, and telephone number of the wastewater treatment facility or facilities from which the biosolids will originate.
	9VAC25-31-485 D 2 h		Add requirement for notification of the most probable order that land application will commence if multiple sites are included.
9VAC25-31-485 D	9VAC25-31-485 D 3	Requirement to deliver written notification to the department prior to commencing land application of sewage sludge.	Revise section numbering to clarify requirements.
9VAC25-31-485.D	9VAC25-31-485.C.3	Requirement to deliver written notification to the department prior to	Revise to clarify requirements, correct grammatical error and correct terminology: The permittee shall deliver

		commencing land application of sewage sludge.	or cause to be delivered written notification to the department and the chief executive officer or designee for the local government where the site is located, daily notification prior to commencing planned land application activities.
9VAC25-31-485 E		Requirement to provide evidence of financial responsibility.	Delete and replace with: Financial Responsibility. Evidence of financial responsibility shall be provided in accordance with requirements specified in Article 6 of the Virginia Pollution Abatement Permit Regulation (9VAC25-32-770 et seq.).
	9VAC25-31-485 F		Add requirement for the posting of signs.
	9VAC25-31-485 F 1		Add requirement for signs to be posted at least 5 business days prior to delivery of biosolids for land application.
	9VAC25-31-485 F 1 a		Add requirements for signs located adjacent to a public right-of-way.
	9VAC25-31-485 F 1 b		Add requirements for signs not located adjacent to a public right-of-way.
	9VAC25-31-485 F 1 c		Add option for grant of a waiver or requirement for alternative posting options by the department.
	9VAC25-31-485 F 2		Add requirements for signage.
	9VAC25-31-485 F 2 a		Add requirements for signs to include a statement that biosolids are being land-applied.
	9VAC25-31-485 F 2 b		Add requirements for signs to include the name and telephone number of the permit holder.
	9VAC25-31-485 F 2 c		Add requirements for signs to include contact information for the department.
	9VAC25-31-485 F 3		Add requirements for replacement and repair of signs.
	9VAC25-31-485 G		Add section to address requirements for an Operations management plan.
	9VAC25-31-485 G 1		Add subsection to specify components of an Operations Management Plan.
	9VAC25-31-485 G 1 a		Add requirement for the Operations Management Plan to include the materials developed and submitted at the time of permit application or modification.
	9VAC25-31-485 G 1 b		Add requirement for the Operations Management Plan to include the nutrient management plan for each site.
	9VAC25-31-485 G 1 c		Add requirement for the Operations Management Plan to include the Operations and Maintenance Manual.
	9VAC25-31-485 G 2		Add section to clarify the requirements for the Operations and Maintenance

			Manual.
	9VAC25-31-485 G 2 a		Specify O&M requirement to include equipment maintenance and calibration procedures and schedules.
	9VAC25-31-485 G 2 b		Specify O&M requirement to include the storage facility maintenance procedures and schedules.
	9VAC25-31-485 G 2 c		Specify O&M requirement to include sampling procedures and analysis procedures.
	9VAC25-31-485 G 3		Add section to clarify that current VPDES permit holders who land apply biosolids may use their existing VPDES P&M Plan to satisfy the requirements of this section under certain conditions.
	9VAC25-31-485 H		Add section to specify requirements for the handling of complaints.
	9VAC25-31-485 H 1		Add requirements for the permit holder to commence investigation of a complaint and shall determine whether the complaint is substantive within 24 hours of receiving notification of a complaint.
	9VAC25-31-485 H 2		Add subsection to clarify the meaning of "substantive complaint" for the purposes of this section.
9VAC25-31-490 A			Revise to correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-490 B			Revise to correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-500		Definitions.	Correct terminology: Revise definition of "Agronomic rate" to refer to "biosolids" instead of "sewage sludge".
9VAC25-31-500		Definitions.	Correct terminology. Revise to read "Annual pollutant loading rate" or "APLR".
9VAC25-31-500		Definitions.	Correct terminology. Revise to read "Annual whole sludge application rate" or "AWSAR".
9VAC25-31-500		Definitions.	Revise definition of "annual whole sludge application rate" to refer to biosolids instead of sewage sludge.
9VAC25-31-500		Definitions.	Revise definition of "apply sewage sludge or sewage sludge applied to the land" to read "Apply biosolids" or "biosolids applied to the land" means land application of biosolids.
9VAC25-31-500		Definitions.	Add definition of "biosolids".
9VAC25-31-500		Definitions.	Revise definition of "bulk sewage sludge" to correct terminology to refer to "biosolids".
9VAC25-31-500		Definitions.	Revise definition of "Class I sludge management facility" to refer to the potential for its biosolids use or sewage

			sludge disposal practice.
9VAC25-31-500		Definitions.	Revise definition of "density of microorganisms" to include reference to biosolids.
9VAC25-31-500		Definitions.	Add definition of "dry tons".
9VAC25-31-500		Definitions.	Add definition of "dry weight".
9VAC25-31-500		Definitions.	Add definition of "exceptional quality biosolids".
9VAC25-31-500		Definitions.	Add definition of "field".
9VAC25-31-500		Definitions.	Revise definition of "land application" to correct terminology. Replace term "sewage sludge" with the word "biosolids".
9VAC25-31-500		Definitions.	Revise definition of "liner". Correct hydraulic conductivity reference to $1 \times 10^{-7}$ .
9VAC25-31-500		Definitions.	Add definition of "local monitor".
9VAC25-31-500		Definitions.	Add definition of "local ordinance".
9VAC25-31-500		Definitions.	Add definition of "malodor".
9VAC25-31-500		Definitions.	Revise definition of "municipality" to include reference to "biosolids".
9VAC25-31-500		Definitions.	Add definition of "odor sensitive receptor".
9VAC25-31-500		Definitions.	Revise definition of "pollutant limit". Replace term "sewage sludge" with the word "biosolids".
9VAC25-31-500		Definitions.	Revise definition of "public contact site": Delete reference to "plant nurseries and turf farms".
9VAC25-31-500		Definitions.	Revise definition of "reclamation site". Replace term "sewage sludge" with the word "biosolids".
9VAC25-31-500		Definitions.	Add definition of "site".
9VAC25-31-500		Definitions.	Revise definition of "vector attraction" to include reference to "biosolids".
9VAC25-31-505		Article 2 Sewage Sludge Applied to the Land	Revise Article title: Biosolids Applied to the Land
9VAC25-31-505 A		A nutrient management plan prepared by a person who is certified as a nutrient management planner...	Correct terminology: Replace "sewage sludge" with "biosolids" as it refers to land application.
9VAC25-31-505 B		Sewage sludge shall be treated to meet standards for land application as required...	Revise: Sewage sludge shall be treated to meet standards for land application of biosolids as required...: Correct terminology: Replace "sewage sludge" with "biosolids" throughout the rest of the subsection.



9VAC25-31-505 D		For applications where surface applied sewage sludge are not incorporated...	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-505 D		When necessary, buffer zone setback distances from odor sensitive receptors may be extended...	Delete requirement: Buffer zones addressed elsewhere in regulations.
9VAC25-31-505 E		No person shall apply to the Department of Environmental Quality for a permit...	Revise to include reference to the storage of biosolids.
9VAC25-31-510		Applicability; bulk sewage sludge; sewage sludge sold or given away in a bag or other container for application to the land.	Revise section header to correct terminology: Applicability; bulk biosolids; biosolids sold or given away in a bag or other container for application to the land.
9VAC25-31-510 A		This subpart applies to any person who...	Correct terminology: Replace "sewage sludge" with "biosolids".
	9VAC25-31-510 B		Insert subsection header to clarify requirements: General requirements for bulk biosolids.
9VAC25-31-510 B 1		The general requirements...	Revise subdivision numbering to account for insertion of new subsection heading.
9VAC25-31-510 B 1		The general requirements...	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-510 B 2		The board may apply any or all of the general requirements...	Correct terminology: Replace "sewage sludge" with "biosolids".
	9VAC25-31-510 C		Insert subsection header to clarify requirements: General requirements for bulk material derived from biosolids.
9VAC25-31-510 C 1		The general requirements...	Revise subdivision numbering to account for insertion of new subsection heading.
9VAC25-31-510 C 1		The general requirements...	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-510 C 2		The board may apply any or all of the general requirements...	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-510 D		The requirements in this article do not apply when...	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-510 E		The general requirements in...	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-510 F		The general requirements in...	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-510 G		The requirements in this subpart do not apply...	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-530 A		No person shall apply sewage sludge to the land...	Correct terminology: No person shall apply biosolids to the land...
9VAC25-31-		No person shall apply bulk	Correct terminology: No person shall

530 B		sewage sludge subject to...	apply bulk biosolids subject to...
9VAC25-31-530 D		The person who prepares bulk...	Correct terminology: Replace "sewage sludge" with "biosolids".
	9VAC25-31-530 E		Insert subsection heading to clarify requirements: Application of biosolids to the land.
9VAC25-31-530 E 1		The person who applies sewage sludge...	Revise subdivision numbering. Correct terminology: The person who applies biosolids...
9VAC25-31-530 E 2 a	9VAC25-31-530 E 2	Before bulk sewage sludge subject...	Revise subdivision numbering. Correct terminology: Before bulk biosolids subject...
	9VAC25-31-530 E 2 a	The person who proposes to apply bulk sewage sludge...	Move portion of original subdivision to new subdivision number for clarity. Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-530 E 2 b		If bulk sewage sludge subject to...	Correct terminology: If bulk biosolids subject to...
9VAC25-31-530 E 2 c		If bulk sewage sludge subject to...	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-530 E 2 d		If bulk sewage sludge subject to...	Correct terminology: If bulk biosolids subject to...
9VAC25-31-530 F		When a person who prepares bulk sewage sludge provides the bulk sewage sludge...	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-530 G		When a person who prepares sewage sludge provides the sewage sludge...	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-530 H		The person who applies bulk sewage sludge to the land...	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-530 I		Any person who prepares bulk sewage sludge...	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-530 I 2		Notice content requirements.	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-530 I 3		Notice content requirements.	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-530 I 4		Notice content requirements.	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-530 J		Any person who applies bulk sewage sludge...	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-530 J 2		Notice content requirements.	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-540 A		Sewage sludge.	Revise subsection heading to correct terminology: Biosolids.
9VAC25-31-540 A 1		Bulk sewage sludge or sewage sludge sold...	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-540 A 2		If bulk sewage sludge is applied...	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-540 A 2 b		The concentration of each pollutant in the sewage sludge shall not exceed	Revise to correct terminology and for consistence: The concentration of each pollutant in the biosolids shall not

		the concentration for the pollutant in Table 3 of 9VAC25-31-540.	exceed the concentration for the pollutant in Table 3 of this section.
9VAC25-31-540 A 3		If bulk sewage sludge is applied to a lawn...	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-540 A 4		If sewage sludge is sold or given away...	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-540 A 4 a		The concentration of each pollutant...	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-540 A 4 b		The product of the concentration of each pollutant...	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-540 B		Pollutant concentrations and loading rates - sewage sludge.	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-540 B		Table 1	Revise ceiling concentration for Copper from 4300 to 4,300.
9VAC25-31-540 B		Table 1	Revise ceiling concentration for Zinc from 7500 to 7,500.
9VAC25-31-540 B		Table 1	Insert footnote reference (1) for Molybdenum.
9VAC25-31-540 B		Table 1	Add footnote for Molybdenum: Biosolids with a molybdenum concentration greater than 40 mg/kg shall not be applied to land used for livestock grazing.
9VAC25-31-540 B		Table 2	Add footnote reference (1) to Table 2 Title.
9VAC25-31-540 B		Table 2	Restructure Table 2: Add a third column entitled (pounds per acre) and move column two heading to refer to both the second and third columns.
9VAC25-31-540 B		Table 2 - Column 1	Add footnote reference (2) to Arsenic. Add Molybdenum to pollutant list with a reference (2).
9VAC25-31-540 B		Table 2 - Column 2	Revise loading rate for copper from 1500 to 1,500 and loading rate for zinc from 2800 to 2,800.
	9VAC25-31-540 B		Table 2 - Column 3: Insert loading rates for each of the listed pollutants in pounds per acre.
	9VAC25-31-540 B		Table 2 - Footnotes: Add footnotes (1) and (2) to clarify the requirements.
9VAC25-31-540 B		Table 3	Revise monthly average concentrations fro copper from 1500 to 1,500 and for zinc from 2800 to 2,800.
9VAC25-31-540 B		Table 3	Add Molybdenum to pollutant list with a footnote (1) reference.
9VAC25-31-540 B		Table 3	Add footnote (1) regarding molybdenum.
	9VAC25-31-540 B		Add Table 4 designation to the Annual Pollutant Loading Rates table for clarity.
9VAC25-31-540 B		Annual Pollutant Loading Rates Table.	Insert third column to table to provide loading rates in pounds per acre and insert loading rates for listed pollutants..

9VAC25-31-540 B		Annual Pollutant Loading Rates Table.	Revise column two heading and move to refer to both the second and third columns. Column two refers to loading rates in kilograms per hectare.
9VAC25-31-540 B		Annual Pollutant Loading Rates Table.	Add molybdenum to the pollutant list with an associated footnote (2) reference.
9VAC25-31-540 B		Annual Pollutant Loading Rates Table.	Add footnotes (1) and (2) to table to clarify requirements.
9VAC25-31-540 C		Domestic septage - Equation (1)	Move equation (1) to a table structure for clarity.
9VAC25-31-540 D		Procedures to determine the annual whole sludge application rate...	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-540 D	9VAC25-31-540 D 1	The relationship between the APLR for a pollutant...	Insert subdivision numbering to clarify requirements.
9VAC25-31-540 D	9VAC25-31-540 D 1	The relationship between the APLR for a pollutant...	Change equation (1) reference to equation (2) to clarify requirements.
9VAC25-31-540 D	9VAC25-31-540 D 1	Equation (1)	Renumber equation (1) to equation (2) to avoid confusion with previous equation (1) and move and restructure into a table format for clarity.
9VAC25-31-540 D	9VAC25-31-540 D 2	To determine the AWSAR, equation (1) is rearranged into equation (2):	Insert subdivision number and revise: To determine the AWSAR, equation (2) is rearranged into equation (3):
9VAC25-31-540 D	9VAC25-31-540 D 2	Equation (2)	Renumber equation to equation (3) and move and restructure into a table format for clarity.
9VAC25-31-540 D	9VAC25-31-540 D 3	The procedure used to determine the AWSAR for a sewage sludge...	Insert subdivision numbering to clarify requirements and correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-540 D 1	9VAC25-31-540 D 3 a	Analyze a sample...	Revise subdivision numbering to account for new numbering: Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-540 D 2	9VAC25-31-540 D 3 b	Using the pollutant concentrations...	Revise subdivision numbering to account for new numbering and revise equation numbering.
9VAC25-31-540 D 3	9VAC25-31-540 D 3 c	The AWSAR for...	Revise subdivision numbering to account for new numbering: Correct terminology: Replace "sewage sludge" with "biosolids".
	9VAC25-31-543		Add new section to address requirements for soils monitoring.
	9VAC25-31-543 A		Add text specifying the sampling and analysis of soil prior to application of biosolids.
	9VAC25-31-543 A		Insert new table to specify the soil test parameters for land application sites.
	9VAC25-31-543 B		Insert new section regarding the right of the department to require additional soil monitoring.
	9VAC25-31-543 C		Insert new section to address sample collection.

	9VAC25-31-545		Insert new section to address the requirements for crop monitoring.
	9VAC25-31-545 A		Insert section to specify that vegetation monitoring may be required by the board.
	9VAC25-31-545 B		Add section to specify the requirements for routine analyses.
	9VAC25-31-545 B 1		Add to specify routine analysis requirement.
	9VAC25-31-545 B 2		Add to specify routine analysis requirement.
	9VAC25-31-545 B 3		Add to specify routine analysis requirement.
	9VAC25-31-545 B 4		Add to specify routine analysis requirement.
	9VAC25-31-545 B 5		Add to specify routine analysis requirement.
	9VAC25-31-545 B 6		Add to specify routine analysis requirement.
	9VAC25-31-545 B 7		Add to specify routine analysis requirement.
	9VAC25-31-545 B 8		Add to specify routine analysis requirement.
	9VAC25-31-545 B 9		Add to specify routine analysis requirement.
	9VAC25-31-545 C		Insert to identify that analysis for additional parameters may be required.
	9VAC25-31-545 D		Insert to specify a reporting requirement.
	9VAC25-31-547		Add new section to specify the requirements for ground water monitoring.
	9VAC25-31-547 A		Add to specify requirement for monitoring wells.
	9VAC25-31-547 B		Add to specify requirements for a ground water monitoring plan.
	9VAC25-31-547 B 1		Add to specify a ground water monitoring plan requirement.
	9VAC25-31-547 B 2		Add to specify a ground water monitoring plan requirement.
	9VAC25-31-547 B 3		Add to specify a ground water monitoring plan requirement.
	9VAC25-31-547 B 4		Add to specify a ground water monitoring plan requirement.
	9VAC25-31-547 B 5		Add to specify a ground water monitoring plan requirement.
	9VAC25-31-550 A		Add new subsection regarding compliance with operational requirements.
9VAC25-31-550 A	9VAC25-31-550 B	Bulk sewage sludge shall not be applied to the land...	Revise subsection numbering: Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-550 B	9VAC25-31-550 C	Bulk sewage sludge shall not be applied to agricultural land...	Revise subsection numbering: Correct terminology: Replace "sewage sludge" with "biosolids".

9VAC25-31-550 C	9VAC25-31-550 D	Bulk sewage sludge shall not be applied to agricultural land...	Revise subsection numbering: Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-550 D	9VAC25-31-550 E	Bulk sewage sludge shall be applied to agricultural land...	Revise subsection numbering: Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-550 E	9VAC25-31-550 F	Either a label shall be affixed...	Revise subsection numbering: Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-550 E 1	9VAC25-31-550 F 1	Label or information sheet content requirement.	Revise subdivision numbering: Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-550 E 2	9VAC25-31-550 F 2	Label or information sheet content requirement.	Revise subdivision numbering: Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-550 E 3	9VAC25-31-550 F 3	Label or information sheet content requirement.	Revise subdivision numbering: Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-560 A		Pathogens - sewage sludge.	Correct terminology: Pathogens - biosolids.
9VAC25-31-560 A 1		The Class A pathogen requirements...	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-560 A 2		The Class A pathogen requirements...	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-560 A 3		The Class A pathogen requirements...	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-560 C		Vector attraction reduction - sewage sludge.	Correct terminology: Vector attraction reduction - biosolids.
9VAC25-31-560 C 1		One of the vector attraction reduction requirements...	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-560 C 2		One of the vector attraction reduction requirements...	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-560 C 3		One of the vector attraction reduction requirements...	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-570 A		Sewage sludge.	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-570 A 1		Table 1	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-570 A 1		Table 1 footnote*.	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-570 A 2		After the sewage sludge has been monitored...	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-580 A		Sewage sludge.	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-580 A 1		The person who prepares the sewage sludge...	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-580 A 1 a		The concentration of each pollutants...	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-580 A 3		If the pollutant concentrations...	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-580 A 3 a		The person who prepares the bulk sewage sludge...	Correct terminology: Replace "sewage sludge" with "biosolids".

9VAC25-31-580 A 3 a (1)		The concentration of each pollutant...	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-580 A 3 b		The person who applies the bulk sewage sludge shall...	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-580 A 3 b (2)		A description of how the management practices...	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-580 A 3 b (3)		A description of how the vector attraction reduction requirements...	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-580 A 4		If the pollutant concentrations in...	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-580 A 4 a		The person who prepares the bulk sewage sludge...	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-580 A 4 a (1)		The concentration of each pollutant...	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-580 A 4 b		The person who applies the bulk sewage sludge...	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-580 A 4 b (1)		Certification statement	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-580 A 4 b (2)		A description of how the management practices in...	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-580 A 4 b (3)		A description of how the site restrictions in...	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-580 A 4 b (5)		The date bulk sewage sludge is applied...	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-580 A 5		If the requirements in 9VAC25-31-540 A 2 a are met when bulk sewage sludge is applied...	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-580 A 5 a		The person who prepares the bulk sewage sludge...	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-580 A 5 a (1)		The concentration of each pollutant listed...	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-580 A 5 b		The person who applies the bulk sewage sludge...	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-580 A 5 b (1)		Information requirement.	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-580 A 5 b (2)		Information requirement.	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-580 A 5 b (3)		Information requirement.	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-580 A 5 b (4)		Information requirement.	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-580 A 5 b (5)		Information requirement.	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-580 A 5 b (6)		Certification statement.	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-580 A 5 b (8)		Certification statement.	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-580 A 5 b (9)		A description of how the management practices...	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-580 A 5 b (10)		The following certification statement...	Correct terminology: Replace "sewage sludge" with "biosolids".

9VAC25-31-580 A 5 b (11)		A description of how the site restrictions in...	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-580 A 6		If the requirements in 9VAC25-31-540 A 4 b are met when sewage sludge...	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-580 A 6 a		The annual whole sludge application rate for sewage sludge...	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-580 A 6 b		The concentration of each pollutant listed...	Correct terminology: Replace "sewage sludge" with "biosolids".
	9VAC25-31-590 B		Add activity report requirement for consistency with VPA.
	9VAC25-31-590 C		Add biosolids application rate calculation requirement from 9VAC25-31-440.
	9VAC25-31-590 D		Add record maintenance requirement from 9VAC25-31-440.
	9VAC25-31-590 E		Add generator and owner record maintenance requirement from 9VAC25-31-440.
9VAC25-31-690 A		This article contains the requirements for a sewage sludge to be classified...	Correct terminology: Replace "a sewage sludge" with "biosolids".
9VAC25-31-690 B		This article contains the site restrictions for land...	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-690 D		This article contains alternative vector attraction reduction requirements for sewage sludge that is applied to the land or placed on a surface disposal site.	Revise to correct terminology: This article contains alternative vector attraction reduction requirements for biosolids that is applied to the land or sewage sludge that is placed on a surface disposal site.
9VAC25-31-710 A		Sewage sludge - Class A.	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-710 A 1		The requirement in subdivision 2 of this subsection...	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-710 A 3 a		Either the density of fecal coliform in the sewage sludge...	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-710 A 3 b (1)		...The temperature and the time period shall be determined using equation (3)...	Revise notation to refer to equation (1).
9VAC25-31-710 A 3 b (1)		Equation (3)	Rename to equation (1) and restructure into a table format for clarity.
9VAC25-31-710 A 3 b (2)		Reference to equation (3)	Revise to refer to equation (1) to account for renumbering of equations for this section.
9VAC25-31-710 A 3 b (3)		Reference to equation (3).	Revise to refer to equation (1) to account for renumbering of equations for this section.
9VAC25-31-710 A 3 b (4)		Reference to equation (4).	Revise to refer to equation (2) to account for renumbering of equations for



			this section.
9VAC25-31-710 A 3 b (4)		Equation (4).	Rename and move equation (2) into a table structure for clarity.
9VAC25-31-710 A 4 a		Either the density of fecal coliform...	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-710 A 5 a		Either the density of fecal coliform...	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-710 A 5 a (3)		When the density of enteric viruses in the sewage sludge prior to...that produces the sewage sludge that meets the enteric virus density requirement are documented.	Revise to correct terminology: When the density of enteric viruses in the sewage sludge prior to...that produces the biosolids that meets the enteric virus density requirement are documented.
9VAC25-31-710 A 5 a (4)		After the enteric virus reduction in subdivision...	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-710 A 6 a		Either the density of fecal coliform...	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-710 A 6 b		The density of enteric viruses in the sewage sludge...	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-710 A 6 c		The density of viable helminth ova in the sewage sludge...	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-710 A 7 a		Either the density of fecal coliform...	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-710 A 7 b		Sewage sludge that is used or disposed...	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-710 A 8 a		Either the density of fecal coliform...	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-710 A 8 b		Sewage sludge that is used or disposed...	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-710 B		Sewage sludge - Class B	Revise to correct terminology: Biosolids - Class B.
9VAC25-31-710 B 1 a	9VAC25-31-710 B 1	The requirements in either 9VAC25-31-710 B 2...	Revise subdivision numbering to clarify requirements. Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-710 B 1 b	9VAC25-31-710 B 2	The site restrictions in 9VAC25-31-710 B 5	Revise subdivision numbering to clarify requirements. Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-710 B 2	9VAC25-31-710 B 3	Class B - Alternative 1.	Revise subdivision numbering to clarify requirements.
9VAC25-31-710 B 2 a	9VAC25-31-710 B 3 a	Seven representative samples of the sewage sludge that is used...	Revise subdivision numbering to clarify requirements. Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-710 B 2 b	9VAC25-31-710 B 3 b	The geometric mean of the density of fecal coliform...	Revise subdivision numbering to clarify requirements.
9VAC25-31-710 B 3	9VAC25-31-710 B 4	Class B - Alternative 2.	Revise subdivision numbering to clarify requirements. Correct terminology: Replace "sewage sludge" with

			"biosolids".
9VAC25-31-710 B 4	9VAC25-31-710 B 5	Class B - Alternative 3.	Revise subdivision numbering to clarify requirements. Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-710 B 5	9VAC25-31-710 B 6	Site restrictions.	Revise subdivision numbering to clarify requirements.
9VAC25-31-710 B 5 a	9VAC25-31-710 B 6 a	Food crops with harvested parts that touch the sewage sludge/soil mixture...	Revise subdivision numbering to clarify requirements. Correct terminology: Food crops with harvested parts that touch the biosolids/soil mixture...
9VAC25-31-710 B 5 b	9VAC25-31-710 B 6 b	Food crops with harvested parts below the surface of the land...for four months or longer...	Revise subdivision numbering to clarify requirements. Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-710 B 5 c	9VAC25-31-710 B 6 c	Food crops with harvested parts below the surface of the land...less than four months...	Revise subdivision numbering to clarify requirements. Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-710 B 5 d	9VAC25-31-710 B 6 d	Food crops, feed crops, and fiber crops...	Revise subdivision numbering to clarify requirements. Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-710 B 5 e	9VAC25-31-710 B 6 e	Animals shall not be grazed...	Revise subdivision numbering to clarify requirements. Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-710 B 5 f	9VAC25-31-710 B 6 f	Turf grown on land where sewage sludge...	Revise subdivision numbering to clarify requirements. Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-710 B 5 g	9VAC25-31-710 B 6 g	Public access to land with a high potential for public exposure...	Revise subdivision numbering to clarify requirements. Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-710 B 5 h	9VAC25-31-710 B 6 h	C access to land with a low potential for public exposure...	Revise subdivision numbering to clarify requirements. Correct terminology: Replace "sewage sludge" with "biosolids".
	9VAC25-31-720 A		Insert subsection heading to clarify requirements: Vector attraction reduction requirements.
9VAC25-31-720 A 1		One of the vector attraction reductions requirements...	Delete subsection A designation from text. Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-720 A 2		One of the vector attraction reductions requirements...	Correct terminology: Replace "sewage sludge" with "biosolids".
9VAC25-31-720 A 3		One of the vector attraction reductions requirements...	Correct terminology: Replace "sewage sludge" with "biosolids".
	9VAC25-31-720 B		Insert subsection heading to clarify requirements. Volatile solids reduction requirements.
9VAC25-31-		The mass of volatile	Delete subsection A designation from

720 B 1		solids...	text.
	9VAC25-31-720 C		Insert subsection heading to clarify requirements: Percent solids requirements.
9VAC25-31-720 B 7	9VAC25-31-720 C 1	The percent solids of sewage sludge...	Revise subdivision numbering to account for new subsection number.
9VAC25-31-720 B 8	9VAC25-31-720 C 2	The percent solids of sewage sludge...	Revise subdivision numbering to account for new subsection number.
	9VAC25-31-720 D		Insert subsection heading to clarify requirements: Sewage sludge injection requirements.
9VAC25-31-720 B 9 a	9VAC25-31-720 D 1	Sewage sludge shall be injected...	Revise subdivision numbering to account for new subsection number.
9VAC25-31-720 B 9 b	9VAC25-31-720 D 2	No significant amount of the sewage sludge...	Revise subdivision numbering to account for new subsection number.
9VAC25-31-720 B 9 c	9VAC25-31-720 D 3	When the sewage sludge that is injected...	Revise subdivision numbering to account for new subsection number.
	9VAC25-31-720 E		Insert new subsection heading to clarify requirements: Sewage sludge incorporation requirements.
9VAC25-31-720 B 10 a	9VAC25-31-720 E 1		Revise subdivision numbering to account for new subsection number.
9VAC25-31-720 B 10 b	9VAC25-31-720 E 2		Revise subdivision numbering to account for new subsection number.
9VAC25-31-720 B 11	9VAC25-31-720 F		Revise subdivision numbering to account for new subsection number.
9VAC25-31-720 B 12	9VAC25-31-720 G		Revise subdivision numbering to account for new subsection number.
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add subsection numbering to clarify requirements and to account for addition of new subsection.
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "active sewage sludge".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "aerobic digestion".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "agricultural land".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "agronomic rate".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "anaerobic digestion".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "annual pollutant loading rate".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "annual whole sludge application rate".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "apply biosolids" or "biosolids applied to the land".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "aquifer".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "base flood".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "biosolids".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "bulk biosolids".

9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "class I sludge management facility".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "contaminate an aquifer".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "cover".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "cover crop".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "critical areas" and "critical waters"
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "cumulative pollutant loading rate".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "density of microorganisms".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Revise definition of "discharge".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "discharge of a pollutant". Originally part of the definition of "discharge". Revised to clarify meaning.
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "discharge of a pollutant".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "displacement".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "domestic septage".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "domestic sewage".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "dry tons".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "dry weight".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "dry weight basis".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "effluent limitations".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "exceptional quality biosolids".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "facilities".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "fault"
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "feed crops".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "fiber crops".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "final cover".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "food crops".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "forest".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "generator".
9VAC25-32-10	9VAC25-32-10	Definitions.	Add definition of "ground water".

	A		
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "Holocene time".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "industrial waste".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Revise definition of "land application".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "land applier".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "land with a high potential for public exposure".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "land with a low potential for public exposure".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "leachate collection system".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "liner".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "local monitor".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "local ordinance".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "lower explosive limit for methane gas".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "malodor".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "monthly average".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Revise definition of "municipality".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "odor-sensitive receptor".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "operate".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "other container".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "owner".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "pasture".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "pathogenic organisms".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Revise definition of "permittee" to include reference to "the department".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "person who prepares sewage sludge".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "pH".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "place sewage sludge" or "sewage sludge placed".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Revise definition of "pollutant" with the addition of the phrase "in regard to wastewater" to clarify meaning.
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "pollutant" "in regard to sewage sludge or biosolids".
9VAC25-32-10	9VAC25-32-10	Definitions.	Add definition of "pollutant limit".

	A		
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "pollution".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "primary sludge".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "process".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "public contact site".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "qualified ground water scientist".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "range land".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "reclamation site".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "reimbursement application".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "run-off".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "seismic impact zone".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "settled sewage".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "sewage".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "sewage sludge" or "sludge".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "sewage sludge unit".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "sewage sludge unit boundary".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "site".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "sludge management".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "specific oxygen uptake rate" or "SOUR".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "state waters".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "store sewage sludge" or "storage of sewage sludge".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "substantial compliance".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "supernatant".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "surface disposal site".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Revise definition of "surface water" to include reference to "surface waters of the United States" in subdivision 4 of the definition.
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "total solids".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Revise definition of "toxic pollutant". Review definition of "toxicity".

9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "toxicity". Originally part of definition of "toxic pollutant".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "treat sewage sludge" or "treatment of sewage sludge".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Revise definition of "treatment works".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "unstable area".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "unstabilized solids".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "use".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "variance".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "vector attraction".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "volatile solids".
9VAC25-32-10	9VAC25-32-10 A	Definitions.	Add definition of "water quality standards".
	9VAC25-32-10 B		Add new section to address the meanings of generally used technical terms not defined in subsection A of this section.
9VAC25-32-30 B 1	9VAC25-32-30 B	Requirements and prohibitions. Except in compliance with a VPA permit, or another permit issued by the board, it shall be unlawful for any person to:	Subsection numbering revised.
9VAC25-32-30 B 1 a	9VAC25-32-30 B 1	Discharge into, or adjacent to, state waters...	Subsection numbering revised to clarify requirements.
9VAC25-32-30 B 1 b	9VAC25-32-30 B 2	Otherwise alter the physical, chemical or biological properties...	Section numbering revised to clarify requirements.
9VAC25-32-30 B 2	9VAC25-32-30 C	Any person required to obtain a permit pursuant to this chapter...	Subsection numbering revised to clarify requirements. Subdivisions references changed from B.1 to B to reflect subsection renumbering.
9VAC25-32-30 B 2 a	9VAC25-32-30 C 1	The written report shall contain:	Subdivision numbering revised to clarify requirements.
9VAC25-32-30 B 2 a (1)	9VAC25-32-30 C 1 a	A description of the nature of the discharge;	Subdivision numbering revised to clarify requirements.
9VAC25-32-30 B 2 a (2)	9VAC25-32-30 C 1 b	The cause of the discharge;	Subdivision numbering revised to clarify requirements.
9VAC25-32-30 B 2 a (3)	9VAC25-32-30 C 1 c	The date on which the discharge occurred;	Subdivision numbering revised to clarify requirements.
9VAC25-32-30 B 2 a (4)	9VAC25-32-30 C 1 d	The length of time that the discharge continued;	Subdivision numbering revised to clarify requirements.
9VAC25-32-30 B 2 a (5)	9VAC25-32-30 C 1 e	The volume of the discharge;	Subdivision numbering revised to clarify requirements.
9VAC25-32-30 B 2 a (6)	9VAC25-32-30 C 1 f	If the discharge is continuing, how long...	Subdivision numbering revised to clarify requirements.

9VAC25-32-30 B 2 a (7)	9VAC25-32-30 C 1 g	If the discharge is continuing, what the expected total volume...	Subdivision numbering revised to clarify requirements.
9VAC25-32-30 B 2 a (8)	9VAC25-32-30 C 1 h	Any steps planned or taken to reduce...	Subdivision numbering revised to clarify requirements.
9VAC25-32-30 B 2 b	9VAC25-32-30 C 2	Discharges reportable to the department...	Subdivision numbering revised to clarify requirements.
9VAC25-32-30 C	9VAC25-32-30 D	VPA permits may be utilized to authorize pollutant management activities...	Subsection numbering revised to clarify requirements. Insert "biosolids" into list of activities.
9VAC25-32-30 D	9VAC25-32-30 E	No VPA permit shall be issued in the following circumstances:	Subsection numbering revised to clarify requirements.
9VAC25-32-30 D 1	9VAC25-32-30 E 1	Where the terms or conditions of the VPA permit do not comply...	Subdivision numbering revised to reflect revised section numbering.
9VAC25-32-30 D 2	9VAC25-32-30 E 2	For the discharge of any radiological...	Subdivision numbering revised to reflect revised section numbering.
9VAC25-32-30 D 3	9VAC25-32-30 E 3	For any pollutant management activity...	Subdivision numbering revised to reflect revised section numbering.
9VAC25-32-40 1	9VAC25-32-40 A	Exclusions. The introduction of sewage, industrial waste or other pollutants into publicly owned treatment works...	Subsection numbering revised to clarify requirements.
9VAC25-32-40 2	9VAC25-32-40 B	Exclusions. Any introduction of pollutants from nonpoint source...	Subsection numbering revised to clarify requirements.
9VAC25-32-40 3	9VAC25-32-40 C	Exclusions. Return flows from irrigated agricultural land.	Subsection numbering revised to clarify requirements.
9VAC25-32-40 4	9VAC25-32-40 D	Exclusions. Land disposal activity, including sewage sludge use or disposal or onsite waste treatment, when this activity is otherwise authorized by the Department of Environmental Quality.	Subsection numbering revised to clarify requirements. Editorial changes to clarify requirements and to correct terminology: Land disposal activity, including biosolids use or sewage sludge disposal or onsite waste treatment, when this activity is authorized by the department;
9VAC25-32-40 5	9VAC25-32-40 E	Exclusions. Discharges authorized by EPA...	Subsection numbering revised to clarify requirements.
9VAC25-32-60 A 1 a		A complete VPA permit application shall be submitted...	Delete subdivision. Requirement moved to another section of regulations to clarify requirements.
9VAC25-32-60 A 1 b		The board may require the submission of additional information...	Delete subdivision. Requirement moved to another section of regulations to clarify requirements.
9VAC25-32-60 A 1 c		In accordance with § 62.1-44.19:3 A of the Code of Virginia...	Delete subdivision. Requirement moved to another section of regulations to clarify requirements.
9VAC25-32-60 A 1 d		No application for a permit to land apply biosolids...shall be complete...	Delete subdivision. Requirement moved to another section of regulations to clarify requirements.



	9VAC25-32-60 B		Add new subsection header to clarify requirements: Time to apply.
9VAC25-32-60 A 2 a	9VAC25-32-60 B 1		Subdivision renumbered to account for addition of new subsection heading.
9VAC25-32-60 A 2 b	9VAC25-32-60 B 2		Subdivision renumbered to account for addition of new subsection heading.
9VAC25-32-60 A 2 c	9VAC25-32-60 B 3		Subdivision renumbered to account for addition of new subsection heading.
9VAC25-32-60 A 2 c (1)	9VAC25-32-60 B 3 a		Subdivision renumbered to account for addition of new subsection heading.
9VAC25-32-60 A 2 c (2)	9VAC25-32-60 B 3 b		Subdivision renumbered to account for addition of new subsection heading.
9VAC25-32-60 B	9VAC25-32-60 C		Subdivision renumbered to account for addition of new subsection heading.
	9VAC25-32-60 D		Add new subsection to clarify the requirements for a completeness determination.
	9VAC25-32-60 D 1		Add new subdivision to specify completeness requirements. Originally included as 9VAC25-32-60.A.1.a.
	9VAC25-32-60 D 2		Add new subdivision to specify completeness requirements. Originally included as 9VAC25-32-60.A.1.b.
	9VAC25-32-60 D 3		Add new subdivision to specify completeness requirements. Originally included as 9VAC25-32-60.A.1.c.
	9VAC25-32-60 D 4		Add new subdivision to specify completeness requirements. Originally included as 9VAC25-32-60.A.1.d.
	9VAC25-32-60 D 5		Add new subdivision to specify completeness requirements.
9VAC25-32-60 C	9VAC25-32-60 E	Information requirements.	Subsection renumbered to account for addition of new subsection.
9VAC25-32-60 C	9VAC25-32-60 E	All applicants for VPA permits shall provide information in accordance with forms provided by the department.	Reword subsection to clarify requirements for information to be provided to the department using application forms provided by the department.
	9VAC25-32-60 F		Add new subsection to clarify the information requirements for an application for the authorization to land apply biosolids.
	9VAC25-32-60 F 1		Add new subdivision to clarify the general information requirements for an application.
	9VAC25-32-60 F 1 a		Add to specify general information requirement for inclusion of legal name and address.
	9VAC25-32-60 F 1 b		Add to specify general information requirement for inclusion of owner contact information.
	9VAC25-32-60 F 1 c		Add to specify general information requirement for inclusion of a general description of the proposed plan.
	9VAC25-32-60		Add to specify description requirements.

	F 1 c (1)		
	9VAC25-32-60 F 1 c (2)		Add to specify description requirements.
	9VAC25-32-60 F 1 c (3)		Add to specify description requirements.
	9VAC25-32-60 F 1 c (4)		Add to specify description requirements.
	9VAC25-32-60 F 1 c (5)		Add to specify description requirements.
	9VAC25-32-60 F 1 c (6)		Add to specify description requirements.
	9VAC25-32-60 F 1 c (7)		Add to specify description requirements.
	9VAC25-32-60 F 1 c (8)		Add to specify description requirements.
	9VAC25-32-60 F 1 d		Add to specify general information requirement for inclusion of written permission of landowners and farmers.
	9VAC25-32-60 F 1 e		Add to specify general information requirement for inclusion of the methods for notification of local government.
	9VAC25-32-60 F 1 f		Add to specify general information requirement for inclusion of a copy of a letter of approval of the nutrient management plan.
	9VAC25-32-60 F 2		Add subsection to address design information requirements.
	9VAC25-32-60 F 2 a		Add to specify that biosolids characterization is to be included as part of the required design information.
	9VAC25-32-60 F 2 a (1)		Add to specify biosolids characterization requirements.
	9VAC25-32-60 F 2 a (2)		Add to specify biosolids characterization requirements.
	9VAC25-32-60 F 2 a (3)		Add to specify biosolids characterization requirements.
	9VAC25-32-60 F 2 a (4)		Add to specify biosolids characterization requirements.
	9VAC25-32-60 F 2 a (5)		Add to specify biosolids characterization requirements.
	9VAC25-32-60 F 2 b		Add to specify requirements for storage facilities.
	9VAC25-32-60 F 2 b (1)		Add to specify storage facility information requirements.
	9VAC25-32-60 F 2 b (2)		Add to specify storage facility information requirements.
	9VAC25-32-60 F 2 b (3)		Add to specify storage facility information requirements.
	9VAC25-32-60 F 2 b (4)		Add to specify storage facility information requirements.
	9VAC25-32-60 F 2 b (5)		Add to specify storage facility information requirements.
	9VAC25-32-60 F 2 b (6)		Add to specify storage facility information requirements.
	9VAC25-32-60		Add to specify storage facility

	F 2 b (7)		information requirements.
	9VAC25-32-60 F 2 b (8)		Add to specify storage facility information requirements.
	9VAC25-32-60 F 2 c		Add information requirement for staging of biosolids.
	9VAC25-32-60 F 2 d		Add section to address the information requirements for land application sites.
	9VAC25-32-60 F 2 d (1)		Add to specify requirement to include DEQ control number.
	9VAC25-32-60 F 2 d (2)		Add to specify requirement to include the site's latitude and longitude.
	9VAC25-32-60 F 2 d (3)		Add to specify requirement to include a legible topographic map.
	9VAC25-32-60 F 2 d (4)		Add to specify the requirement to include a county map.
	9VAC25-32-60 F 2 d (5)		Add to specify the requirement to include a county tax map.
	9VAC25-32-60 F 2 d (6)		Add to specify the requirement to include a USDA soil survey map.
	9VAC25-32-60 F 2 d (7)		Add to specify the requirement to include contact information for the site owner.
	9VAC25-32-60 F 2 d (8)		Add to specify the requirement to include contact information for the person who applies biosolids to the site.
	9VAC25-32-60 F 2 d (9)		Add to specify the requirement to include site type information.
	9VAC25-32-60 F 2 d (10)		Add to specify the requirement to include a description of agricultural practices used on the site.
	9VAC25-32-60 F 2 d (11)		Add to specify the requirement to include information about vector attraction reduction practices at the site.
	9VAC25-32-60 F 2 d (12)		Add to specify the requirement to include additional information for projects utilizing frequent application of biosolids and to specify those information requirements.
	9VAC25-32-60 F 2 d (13)		Add to specify the information requirements needed for each land application site if the applicant intends to apply bulk biosolids subject to cumulative pollutant loading rates.
	9VAC25-32-60 F 2 d (14)		Add to specify information requirements if not all land application sites have been identified at the time of permit application.
	9VAC25-32-60 F 3		Add subsection to address the requirement for a biosolids operations management plan.
	9VAC25-32-60 F 3 a		Add to specify information requirements for description of operation.
	9VAC25-32-60 F 3 b		Add to specify requirement for a nutrient management plan approved by the Department of Conservation and

			Recreation under certain conditions.
	9VAC25-32-60 F 3 b (1)		Add subdivision to clarify conditions under which a nutrient management plan would need DCR approval. (sites operated by an owner or lessee of a confined animal feeding operation or confined poultry feeding operation)
	9VAC25-32-60 F 3 b (2)		Add subdivision to clarify conditions under which a nutrient management plan would need DCR approval. (sites where land application more frequently than once every three years at greater than 50% of the annual agronomic rate is proposed)
	9VAC25-32-60 F 3 b (3)		Add subdivision to clarify conditions under which a nutrient management plan would need DCR approval. (Mined land sites)
	9VAC25-32-60 F 4		Add subsection to address biosolids transport.
	9VAC25-32-60 F 4 a		Add to specify information component for biosolids transport.
	9VAC25-32-60 F 4 b		Add to specify information component for biosolids transport.
	9VAC25-32-60 F 4 c		Add to specify information component for biosolids transport.
	9VAC25-32-60 F 4 d		Add to specify information component for biosolids transport.
	9VAC25-32-60 F 5		Add to subsection to address information requirements for field operations.
	9VAC25-32-60 F 5 a		Add to specify information requirements for the storage component of field operations.
	9VAC25-32-60 F 5 a (1)		Add to specify information requirements for routine storage.
	9VAC25-32-60 F 5 a (2)		Add to specify information requirements for on-site storage.
	9VAC25-32-60 F 5 a (3)		Add to specify information requirements for field stockpiling.
	9VAC25-32-60 F 5 a (4)		Add to specify information requirements for offloading (staging) areas.
	9VAC25-32-60 F 5 b		Add to specify information requirement for application methodology for field operations.
	9VAC25-32-60 F 5 b (1)		Add to specify information requirement for spreader vehicles.
	9VAC25-32-60 F 5 b (2)		Add to specify information requirements for calibration of equipment.
	9VAC25-32-60 F 5 b (3)		Add to specify information requirements for procedures to ensure compliance with certain constraints.
	9VAC25-32-60 F 5 c		Add to specify odor control plan information requirements.
	9VAC25-32-60		Add to specify requirement for

	F 5 c (1)		information on methods used to identify and abate malodorous biosolids prior to land application.
	9VAC25-32-60 F 5 c (2)		Add to specify requirement for information on methods used to identify and abate malodorous biosolids if land applied.
	9VAC25-32-60 F 6		Add to specify for providing written evidence of financial responsibility in accordance with 9VAC25-32-780.
9VAC25-32-80 H 2		Monitoring and records: Records related to biosolids data and information specified in agreements between generator, owner, agents, landowners and farmers shall be described and maintained for a minimum period of five years or the duration of the permit or subsequent revisions if longer than five years.	Regulatory language moved to new subdivision 9VAC25-32-80 H 5.
	9VAC25-32-80 H 5		Requirement moved from 9VAC25-32-80 H 2 for clarification: Records related to biosolids data and information specified in agreements between generator, owner, agents, landowners and farmers shall be described and maintained for a minimum period of five years or the duration of the permit or subsequent revisions if longer than five years.
9VAC25-32-100	9VAC25-32-100 A	In addition to the conditions established in 9VAC25-32-80 and 9VAC25-32-90, each VPA permit shall include conditions...	Subsection numbering added to clarify requirements.
9VAC25-32-100 1	9VAC25-32-100 A 1	Determination of limitations.	Subdivision numbering revised to clarify requirements.
9VAC25-32-100 2	9VAC25-32-100 A 2	Duration of VPA permits.	Subdivision numbering revised to clarify requirements.
9VAC25-32-100 3	9VAC25-32-100 B	Monitoring requirements.	Subsection numbering revised to clarify requirements.
9VAC25-32-100 3 a	9VAC25-32-100 B 1	All VPA permits may specify:	Subdivision numbering revised to clarify requirements.
9VAC25-32-100 3 a (1)	9VAC25-32-100 B 1 a	Requirements concerning the proper use, maintenance...	Subdivision numbering revised to clarify requirements.
9VAC25-32-100 3 a (2)	9VAC25-32-100 B 1 b	Required monitoring...	Subdivision numbering revised to clarify requirements.
9VAC25-32-100 3 a (3)	9VAC25-32-100 B 1 c	Applicable reporting requirements...	Subdivision numbering revised to clarify requirements.
9VAC25-32-	9VAC25-32-	VPA permits may include	Subdivision numbering revised to clarify

100 3 b	100 B 2	requirements to report monitoring results...	requirements.
9VAC25-32-100 3 c	9VAC25-32-100 B 3	In addition, the following monitoring requirements may be included...	Subdivision numbering revised to clarify requirements.
9VAC25-32-100 3 c (1)	9VAC25-32-100 B 3 a	Mass or other measurements...	Subdivision numbering revised to clarify requirements.
9VAC25-32-100 3 c (2)	9VAC25-32-100 B 3 b	The volume of waste, wastewater or sludge managed by the activity;	Subdivision numbering revised to clarify requirements. Insert term "biosolids" for clarification of requirements: The volume of waste, wastewater, biosolids or sludge managed by the activity;
9VAC25-32-100 3 c (3)	9VAC25-32-100 B 3 c	Other measurements as appropriate.	Subdivision numbering revised to clarify requirements.
9VAC25-32-100 4	9VAC25-32-100 C	Best Management Practices (BMPs).	Subsection numbering revised to clarify requirements.
9VAC25-32-100 5	9VAC25-32-100 D	Sludge disposal.	Subsection numbering revised to clarify requirements.
9VAC25-32-100 6	9VAC25-32-100 E	Sewage sludge land application.	Subsection numbering revised to clarify requirements. Replace term "sewage sludge" with "biosolids" to clarify requirements: Biosolids land application.
9VAC25-32-100 7	9VAC25-32-100 F	Schedules of compliance.	Subsection numbering revised to clarify requirements.
9VAC25-32-100 7 a	9VAC25-32-100 F 1	Schedule or schedules of compliance shall require the permittee...	Subdivision numbering revised to clarify requirements.
9VAC25-32-100 7 b	9VAC25-32-100 F 2	The schedule of compliance shall set forth interim time periods...	Subdivision numbering revised to clarify requirements.
9VAC25-32-100 7 c	9VAC25-32-100 F 3	Schedule or schedules of compliance may be modified...	Subdivision numbering revised to clarify requirements.
9VAC25-32-140		Public notice of VPA permit action and public comment period.	Subsection header added to clarify requirements: Draft VPA permits.
9VAC25-32-140 A	9VAC25-32-140 A 1	Every draft VPA permit shall be given public notice...	Renumbered to account for addition of new subsection.
9VAC25-32-140 B	9VAC25-32-140 A 2	Interested persons shall have a...to submit written comments...	Renumbered to account for addition of new subsection.
9VAC25-32-140 C	9VAC25-32-140 A 3	The contents of the public notice...	Renumbered to account for addition of new subsection.
9VAC25-32-140 C 1	9VAC25-32-140 A 3 a	The name and address of the applicant...	Renumbered to account for addition of new subsection.
9VAC25-32-140 C 2	9VAC25-32-140 A 3 b	A brief description...	Renumbered to account for addition of new subsection.
9VAC25-32-140 C 3	9VAC25-32-140 A 3 c	A statement...	Renumbered to account for addition of new subsection.
9VAC25-32-140 C 4	9VAC25-32-140 A 3 d	A brief description of the final...	Renumbered to account for addition of new subsection.
9VAC25-32-140 C 5	9VAC25-32-140 A 3 e	The address and phone number...	Renumbered to account for addition of new subsection.
9VAC25-32-	9VAC25-32-	A brief description of how	Renumbered to account for addition of

140 C 6	140 A 3 f	to submit...	new subsection.
9VAC25-32-140 D		Public notice not required...	Delete subsection. Requirements now included as new subsection 9VAC25-32-140.B.4.
	9VAC25-32-140 B		Add new subsection header: VPA Permit Application.
9VAC25-32-140 E	9VAC25-32-140 B 1	Upon receipt of an application...	Renumbered to account for reorganization of material and the addition of a new subsection heading.
9VAC25-32-140 E	9VAC25-32-140 B 1	Upon receipt of an application for a permit or for a modification of a permit, the board shall :	Subsection reorganized to clarify requirements now includes text from original 9VAC25-32-140 E 1 and replace "board" with "department": Upon receipt of an application for the issuance of a new or modified permit the department shall notify in writing, the locality wherein the pollutant management activity does or is proposed to take place. This notification shall, at a minimum, include:
9VAC25-32-140 E 1			Delete subsection. Now included as part of section 9VAC25-32-140 B 1.
9VAC25-32-140 E 1 b	9VAC25-32-140 B 1 b	The nature of the application and proposed pollutant management activity; and	Revise to reflect additional notification requirement: The nature of the application and proposed pollutant management activity;
	9VAC25-32-140 B 1 c		Add notification requirement: The availability and timing of any comment period; and
9VAC25-32-140 E 1 c	9VAC25-32-140 B 1 d	Upon receipt of an application...	Renumbered to account for additional notification requirement.
9VAC25-32-140 E 2	9VAC25-32-140 B 2	Establish a date for a public meeting...	Renumbered to account for section reorganization.
9VAC25-32-140 E 2	9VAC25-32-140 B 2	Establish a date for a public meeting to discuss technical issues...The board shall not issue the permit...	Language added to clarify requirements: Whenever the department receives an application for a new permit for land application of biosolids or land disposal of treated sewage, stabilized sewage sludge or stabilized septage, or an application to reissue with the addition of sites increasing acreage by 50% or more of that authorized in the initial permit, the department shall establish a date for a public meeting to discuss technical issues...The department shall not issue the permit...
9VAC25-32-140 E 2	9VAC25-32-140 B 2	Public notice of the scheduled meeting shall occur no fewer than seven or more than 14 days prior to the meeting.	Grammatical correction: Public notice of the scheduled meeting shall occur no fewer than seven nor more than 14 days prior to the meeting.
	9VAC25-32-140 B 3		Add notification requirement: Following the submission of an application for land application of biosolids or land disposal of treated sewage, stabilized sewage sludge or stabilized septage DEQ shall

			notify persons residing on property bordering the sites that contain the proposed land application fields. This notification shall be in a manner selected by the department. For the purposes of this subsection, "site" means all contiguous land under common ownership, but which may contain more than one tax parcel.
	9VAC25-32-140 B 4		Add text to clarify requirements (originally included as 9VAC25-32-140 D): Public notice shall not be required for submission or approval of plans and specifications or conceptual engineering reports not required to be submitted as part of the application.
	9VAC25-32-140 C		Add new subsection: Following the submission of an application to add a site that is not contiguous to sites included in an existing permit authorizing the land application of biosolids:
	9VAC25-32-140 C 1		Add new subdivision: The department shall notify persons residing on property bordering such site and shall receive written comments from those persons for a period of 30 days. Based upon written comments, the department shall determine whether additional site-specific requirements should be included in the authorization for land application at the site.
	9VAC25-32-140 C 2		Add new subdivision to clarify requirements: An application for any permit amendment to increase the acreage authorized by the initial permit by 50% or more shall be considered a major modification and shall be treated as a new application for purposes of public notice and public hearings. The increase in acreage for the purpose of determining the need for the public meeting is the sum of all acreage that has been added to the permit since the last public meeting, plus that proposed to be added.
9VAC25-32-140 F	9VAC25-32-140 D	Before issuing any permit, if the board finds that there are localities particularly affected by the permit, the board shall:	Subsection renumbered to account for the addition of new subsections and subdivisions and replace "board" with "department": Before issuing any permit, if the department finds that there are localities particularly affected by the permit, the department shall.
9VAC25-32-140 F 1	9VAC25-32-140 D 1	Publish, or require the applicant to publish, a notice...	Renumbered to account for reorganization of subsections and addition of new subsections.



9VAC25-32-140 F 2	9VAC25-32-140 D 2	Mail the notice...	Renumbered to account for reorganization of subsections and addition of new subsections and replace "board" with "department" and "board votes" with "department decides"..
9VAC25-32-140 G		When a site is to be added to an existing permit...	Subsection deleted. Requirements now included as part of new subsection 9VAC25-32-140 C 1
9VAC25-32-240 C		An application for any permit amendments to increase the acreage authorized by the initial permit by 50% or more shall be treated as a new application for purposes of public notice and public hearings.	Requirement clarified to state that the addition of land is not a minor modification, and references added detailing the public involvement requirements for land addition. "An application for any permit amendments to increase the acreage authorized by the permit shall not be considered a minor modification and shall require the public involvement procedures outlined in 9VAC25-32-140 C."
9VAC25-32-260 1	9VAC25-32-260 A	Sources.	Editorial: Subsection renumbered.
9VAC25-32-260 a	9VAC25-32-260 A 1	Category of activities.	Editorial" Subdivision renumbered.
9VAC25-32-260 b	9VAC25-32-260 A 2	Category of activities.	Editorial" Subdivision renumbered.
9VAC25-32-260 c	9VAC25-32-260 A 3	Category of activities.	Editorial" Subdivision renumbered.
9VAC25-32-260 d	9VAC25-32-260 A 4	Category of activities.	Editorial" Subdivision renumbered.
9VAC25-32-260 e	9VAC25-32-260 A 5	Category of activities.	Editorial" Subdivision renumbered.
9VAC25-32-260 2	9VAC25-32-260 B	Administration	Editorial: Subsection renumbered.
9VAC25-32-260 2 a	9VAC25-32-260 B 1	The board may issue a general VPA permit in accordance with the following: 2. Administration. a. General BPA permits will be issued, modified, revoked and reissued, or terminated pursuant to the law and the board's Public Participation Guidelines (9VAC25-10-10 et seq.).	Editorial" Subdivision renumbered. Reference correction: The board may issue a general VPA permit in accordance with the following: B. Administration. 1. General VPA permits will be issued, modified, revoked and reissued, or terminated pursuant to the law and the Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia).
9VAC25-32-260 2 b	9VAC25-32-260 B 2	The board may require...	Editorial" Subdivision renumbered.
9VAC25-32-260 2 b (1)	9VAC25-32-260 B 2 (a)	Where the pollutant management activity...	Editorial" Subdivision renumbered.
9VAC25-32-260 2 b (2)	9VAC25-32-260 B 2 (b)	Where the owner is not in compliance...	Editorial" Subdivision renumbered.
9VAC25-32-260 2 b (3)	9VAC25-32-260 B 2 (c)	When a water quality management plan...	Editorial" Subdivision renumbered.
9VAC25-32-260 2 b (4)	9VAC25-32-260 B 2 (d)	When a permitted activity no longer...	Editorial" Subdivision renumbered.

9VAC25-32-260 2 c	9VAC25-32-260 B 3	Any owner operating under a general VPA...	Editorial" Subdivision renumbered.
9VAC25-32-260 2 d	9VAC25-32-260 B 4	When an individual VPA permit...	Editorial" Subdivision renumbered.
9VAC25-32-260 2 e	9VAC25-32-260 B 5	When a general VPA permit...	Editorial" Subdivision renumbered.
9VAC25-32-260 2 f	9VAC25-32-260 B 6	A general VPA permit...	Editorial" Subdivision renumbered.
9VAC25-32-300 A		Effective July 24, 1996, the following will occur...	Delete. Language is obsolete.
9VAC25-32-300 A 1		All VPA applications received...	Delete. Language is obsolete.
9VAC25-32-300 A 2		Any owner holding a No-Discharge Certificate...	Delete. Language is obsolete.
9VAC25-32-300 B	9VAC25-32-300 A	Permits issued by the Department of Health...	Subsection renumbered due to deletion of previous subsection.
9VAC25-32-300 B	9VAC25-32-300 A	Permits issued by the Department of Health...	Requirement reworded and restructured to clarify requirements. Permits issued prior to January 1, 2008 by the Department of Health under the authority of the State Board of Health shall continue in force until expired or terminated in accordance with the permit or this regulation. Balance of subsection deleted and replaced with additional subsections.
	9VAC25-32-300 B		Add to clarify requirements: All owners holding active biosolids use permits as of January 1, 2008, shall submit an application for a Virginia Pollution Abatement Permit in accordance with this regulation at least 180 days before the expiration date of permits issued prior to January 1, 2008, or by June 30, 2012, whichever comes first.
	9VAC25-32-300 C		Add to clarify requirements: All owners of biosolids use facilities shall comply with the applicable requirements set forth in the operational regulations of Part IX (9VAC25-32-310 et seq.) of this chapter.
	9VAC25-32-300 D		Add to clarify requirements: Notwithstanding the foregoing, all VDH-BUR permits shall terminate no later than December 31, 2012 if a complete VPA application for the activity authorized by the VDH-BUR permit has not been submitted to the department.
	9VAC25-32-303		Add Part IX header to new section on Purpose and applicability: Part IX Biosolids Program Article 1 Procedures and Requirements
	9VAC25-32-303		Add new section to clarify requirements: Purposes and applicability.
	9VAC25-32-		Add new subsection stating purpose of

	303 A		this "part" of the regulations to establish standards.
	9VAC25-32-303 B		Add new subsection to clarify that the standards also include the frequency of monitoring and recordkeeping requirements.
	9VAC25-32-303 C		Add new subsection to clarify applicability of the requirements in this part of the regulations.
	9VAC25-32-303 C 1		Add new subdivision to clarify applicability.
	9VAC25-32-303 C 2		Add new subdivision to clarify applicability.
	9VAC25-32-303 C 3		Add new subdivision to clarify applicability.
	9VAC25-32-305		Add new section to address Permits.
	9VAC25-32-305 A		Add new subsection to clarify that no owner shall cause or allow any land application, marketing or distribution of biosolids without a permit.
	9VAC25-32-305 B		Add new subsection to clarify that a separate biosolids use permit shall be issued for each political jurisdiction where land application is proposed.
	9VAC25-32-307		Add new section to clarify relationship to other regulations.
	9VAC25-32-307 A		Add new subsection to clarify the requirements related to compliance with § 405 (d) of the CWA.
	9VAC25-32-307 B		Add new subsection to clarify the requirements related to the quality of materials disposed in a municipal solid waste landfill.
9VAC25-32-310.		Definitions.	Repeal Section - Definitions now included in main definition section - 9VAC25-32-10. Part IX header deleted. Now included in new section 9VAC25-32-303.
	9VAC25-32-313		Add new section to clarify "general requirements".
	9VAC25-32-313 A		Add requirement that no person shall apply biosolids to the land except in accordance with the requirements of this article.
	9VAC25-32-313 B		Add requirement related to threatened or endangered species.
	9VAC25-32-313 C		Add requirement related to cumulative pollutant loading rates.
	9VAC25-32-313 D		Add requirement related to annual application rate.
	9VAC25-32-313 E		Add requirement related to the concentration of total nitrogen in the bulk biosolids.
	9VAC25-32-		Add requirement related to the

	313 F		application of bulk biosolids subject to the cumulative loading rates since July 20, 1993.
	9VAC25-32-313 F 1		Add to clarify the bulk biosolids and cumulative loading rate requirements.
	9VAC25-32-313 F 2		Add to clarify the bulk biosolids and cumulative loading rate requirements.
	9VAC25-32-313 F 3		Add to clarify the bulk biosolids and cumulative loading rate requirements.
	9VAC25-32-313 G		Add requirement related to providing notice and necessary information to the person who applies bulk biosolids to comply with the requirements of this article.
	9VAC25-32-313 H		Add requirement related to providing notice and necessary information to the person who receives bulk biosolids to comply with the requirements of this article.
	9VAC25-32-313 I		Add requirement related to providing notice and necessary information to the owner or lease holder to comply with the requirements of this article.
	9VAC25-32-313 J		Add requirement related to the person who prepares bulk biosolids in another state that is applied in Virginia and a written notice to the department.
	9VAC25-32-313 J 1		Add to clarify requirements for the contents of the written notice.
	9VAC25-32-313 J 2		Add to clarify requirements for the contents of the written notice.
	9VAC25-32-313 J 3		Add to clarify requirements for the contents of the written notice.
	9VAC25-32-313 J 4		Add to clarify requirements for the contents of the written notice.
	9VAC25-32-313 K		Add requirement related to the person who applies bulk biosolids subject to the cumulative pollutant loading rates and a required written notice to the department.
	9VAC25-32-313 K 1		Add to clarify requirements for the content of the written notice.
	9VAC25-32-313 K 2		Add to clarify requirements for the content of the written notice.
	9VAC25-32-315		Add new section to clarify additional and more stringent requirements.
	9VAC25-32-315 A		Add new subsection to clarify additional and more stringent requirements.
	9VAC25-32-315 B		Add new subsection to clarify additional and more stringent requirements.
	9VAC25-32-315 C		Add new subsection to clarify additional and more stringent requirements.
	9VAC25-32-317		Add new section to clarify exclusions to the biosolids regulations. Language from VPDES added for consistency

			between regulations.
	9VAC25-32-317 A		Add to clarify the exclusion for treatment processes.
	9VAC25-32-317 B		Add to clarify the exclusion related to the selection of a use or disposal practice.
	9VAC25-32-317 C		Add to clarify the exclusion related to the incineration of sewage sludge.
	9VAC25-32-317 D		Add to clarify the exclusion related to hazardous sewage sludge.
	9VAC25-32-317 E		Add to clarify the exclusion related to sewage sludge with high PCB concentration.
	9VAC25-32-317 F		Add to clarify the exclusion related to incinerator ash.
	9VAC25-32-317 G		Add to clarify the exclusion related to grit and screenings.
9VAC25-32-320 A		In the event of a dispute between a locality that has adopted a local ordinance for testing and monitoring the land application of sewage sludge and a permittee concerning the existence of a violation, the activity alleged to be in violation shall be halted pending a determination by the director.	Revise sentence to clarify requirements and replace term "sewage sludge" with "biosolids": In the event of a dispute concerning the existence of a violation between a permittee and a locality that has adopted a local ordinance for testing and monitoring of the land application of biosolids the activity alleged to be in violation shall be halted pending a determination by the director.
9VAC25-32-320 A		Local Enforcement of the regulation: "The decision of the director shall be final and binding unless reversed on judicial appeal pursuant to § 2.2-4026 of the Code of Virginia. If the activity is not halted, the director may seek an injunction compelling the halting of the activity, from a court having jurisdiction.	Delete language that is duplicative of that in statute and not necessary for inclusion as part of regulations.
9VAC25-32-320 C		Local Enforcement of the regulation.	Correct terminology - replace term "sewage sludge" with "biosolids".
9VAC25-32-320 D			Add language from repealed section 9VAC25-32-510: Local governments receiving complaints concerning land application of biosolids shall notify the department and the permit holder within 24 hours of receiving the complaint.
9VAC25-32-330 B		Variances: Requirements for a variance. The board may grant a variance if it finds that the hardship imposed (may be economic) outweighs the	Delete the wording "may be economic". Language to be included in guidance.

		benefits that may be received by the public and that the granting of such variance does not subject the public to unreasonable health risks or environmental pollution.	
9VAC25-32-330 C.		Variance: Application for a variance. Any owner may apply in writing for a variance. The application should be sent to the appropriate regional office for evaluation.	Clarify regulation requirements by changing the text to read: Variance: Application for a variance. Any owner may apply in writing for a variance. The application shall be submitted to the appropriate regional office for evaluation.
9VAC25-32-340		Permits.	Section repealed. Text moved to 9VAC25-32-305 for better introduction to section and consistency with VPDES.
9VAC25-32-355		Biosolids Use Regulation Advisory Committee.	Repeal Section. Part of VDH Biosolids Use regulations - No longer required.
	9VAC25-32-356		Add new article header: Article 2 Operational and Monitoring Requirements.
	9VAC25-32-356		Add new section to specify pollutant limits.
	9VAC25-32-356 A		Add new subsection to specify pollutant limits for biosolids.
	9VAC25-32-356 A 1		Add to specify pollutant limits related to bulk biosolids or biosolids sold or given-away in a bag...
	9VAC25-32-356 A 2		Add to specify pollutant limits related to bulk biosolids applied to agricultural land, forest, a public contact site, or a reclamation site.
	9VAC25-32-356 A 2 a		Add to clarify pollutant limits related to the cumulative loading rate for each pollutant.
	9VAC25-32-356 A 2 b		Add to clarify the pollutant limits related to the concentration of each pollutant.
	9VAC25-32-356 A 3		Add to specify pollutant limits related to bulk biosolids applied to a lawn or home garden.
	9VAC25-32-356 A 4		Add to specify pollutant limits related to biosolids sold or given away in a bag or other container for application to the land.
	9VAC25-32-356 A 4 a		Add to clarify the pollutant limits related to the concentration of each pollutant in the biosolids.
	9VAC25-32-356 A 4 b		Add to clarify the pollutant limits related to the concentration of each pollutant in the biosolids and the annual pollutant loading rate.
	9VAC25-32-356 B		Add new subsection to address pollutant concentrations and loading rates for biosolids.

	9VAC25-32-356 B		Add Table 1 to specify ceiling concentrations for pollutants in biosolids.
	9VAC25-32-356 B		Add Table 2 to specify cumulative pollutant loading rates.
	9VAC25-32-356 B		Add Table 3 to specify pollutant concentrations.
	9VAC25-32-356 B		Add Table 4 to specify annual pollutant loading rates.
	9VAC25-32-356 C		Add to clarify the procedures to determine the annual whole sludge application rate (AWSAR) for biosolids.
	9VAC25-32-356 C 1		Add to clarify the relationship between the APLR for a pollutant and the AWSAR for a biosolids.
	9VAC25-32-356 C 1		Add Equation (1) related to the relationship between the APLR and AWSAR.
	9VAC25-32-356 C 2		Add section related to determining the AWSAR.
	9VAC25-32-356 C 2		Add Equation (2) related to determining the AWSAR.
	9VAC25-32-356 C 3		Add section to clarify the procedure used to determine the AWSAR for biosolids.
	9VAC25-32-356 C 3 a		Add to specify the steps in determining the AWSAR for biosolids.
	9VAC25-32-356 C 3 b		Add to specify the steps in determining the AWSAR for biosolids.
	9VAC25-32-356 C 3 c		Add to specify the steps in determining the AWSAR for biosolids.
	9VAC25-32-357		Add new section to clarify operational standards, pathogens and vector attraction reduction requirements.
	9VAC25-32-357 A		Add requirement that biosolids shall be monitored to verify that the selected pathogen reduction treatment classification and vector attraction reduction method requirements have been met.
	9VAC25-32-357 B		Add subsection related to pathogens and biosolids.
	9VAC25-32-357 B 1		Add to specify pathogen requirements for Class A biosolids when applied to agricultural land, forest, a public contact site, or a reclamation site.
	9VAC25-32-357 B 2		Add to specify pathogen requirements for Class A biosolids when applied to a lawn or a hone garden.
	9VAC25-32-357 B 3		Add to specify pathogen requirements for Class A biosolids when biosolids is sold or given away in a bag or other container for application to the land.
	9VAC25-32-357 C		Add subsection related to pathogens and domestic septage.
	9VAC25-32-		Add subsection related to vector

	357 D		attraction reduction and biosolids.
	9VAC25-32-357 D 1		Add to specify the vector attraction reduction requirements when bulk biosolids is applied to agricultural land, forest, a public contact site, or a reclamation site.
	9VAC25-32-357 D 2		Add to specify the vector attraction reduction requirements when bulk biosolids is applied to a lawn or a home garden.
	9VAC25-32-357 D 3		Add to specify the vector attraction reduction requirements when bulk biosolids is sold or given away in a bag or other container for application to the land.
	9VAC25-32-357 E		Add subsection related to vector attraction reduction requirements and domestic septage.
	9VAC25-32-357 F		Add subsection to provide for additional operational control information to be required on an individual basis by the department.
	9VAC25-32-358		Add new section to clarify frequency of monitoring requirements.
	9VAC25-32-358 A		Add subsection to clarify monitoring requirements for biosolids.
	9VAC25-32-358 A 1		Add to specify the frequency of monitoring for the pollutants in biosolids.
	9VAC25-32-358 A 1		Add Table 1 to specify the frequency of monitoring for land application of biosolids.
	9VAC25-32-358 A 2		Add language to provide for a reduction in the frequency of monitoring.
	9VAC25-32-358 B		Add subsection to clarify the monitoring requirements for domestic septage.
	9VAC25-32-359		Add new section to clarify recordkeeping requirements.
	9VAC25-32-359 A		Add new subsection to clarify recordkeeping requirements for biosolids.
	9VAC25-32-359 A 1		Add conditional statement regarding required recordkeeping requirements for biosolids.
	9VAC25-32-359 A 1 a		Add statement regarding information required by the person who prepares the bulk biosolids.
	9VAC25-32-359 A 1 a (1)		Add information requirement.
	9VAC25-32-359 A 1 a (2)		Add information requirement.
	9VAC25-32-359 A 1 a (3)		Add information requirement.
	9VAC25-32-359 A 1 b		Add statement regarding information required by the person who applies the bulk biosolids.



	9VAC25-32-359 A 1 b (1)		Add information requirement.
	9VAC25-32-359 A 1 b (2)		Add information requirement.
	9VAC25-32-359 A 1 b (3)		Add information requirement.
	9VAC25-32-359 A 2		Add conditional statement regarding when information on biosolids is needed.
	9VAC25-32-359 A 2 a		Add statement regarding information required by the person who prepares the bulk biosolids.
	9VAC25-32-359 A 2 a (1)		Add information requirement.
	9VAC25-32-359 A 2 a (2)		Add information requirement.
	9VAC25-32-359 A 2 a (3)		Add information requirement.
	9VAC25-32-359 A 2 a (4)		Add information requirement.
	9VAC25-32-359 A 2 b		Add statement regarding information required by the person who applies the bulk biosolids.
	9VAC25-32-359 A 2 b (1)		Add information requirement.
	9VAC25-32-359 A 2 b (2)		Add information requirement.
	9VAC25-32-359 A 2 b (3)		Add information requirement.
	9VAC25-32-359 A 2 b (4)		Add information requirement.
	9VAC25-32-359 A 2 b (5)		Add information requirement.
	9VAC25-32-359 A 3		Add conditional statement regarding when information on biosolids is required.
	9VAC25-32-359 A 3 a		Add statement regarding information required by the person who prepares the bulk biosolids.
	9VAC25-32-359 A 3 a (1)		Add information requirement.
	9VAC25-32-359 A 3 a (2)		Add information requirement.
	9VAC25-32-359 A 3 a (3)		Add information requirement.
	9VAC25-32-359 A 3 a (4)		Add information requirement.
	9VAC25-32-359 A 3 b		Add statement regarding information required by the person who applies the bulk biosolids.
	9VAC25-32-359 A 3 b (1)		Add information requirement.
	9VAC25-32-359 A 3 b (2)		Add information requirement.
	9VAC25-32-359 A 3 b (3)		Add information requirement.

	9VAC25-32-359 A 3 b (4)		Add information requirement.
	9VAC25-32-359 A 3 b (5)		Add information requirement.
	9VAC25-32-359 A 3 b (6)		Add information requirement.
	9VAC25-32-359 A 3 b (7)		Add information requirement.
	9VAC25-32-359 A 3 b (8)		Add information requirement.
	9VAC25-32-359 A 3 b (9)		Add information requirement.
	9VAC25-32-359 A 3 b (10)		Add information requirement.
	9VAC25-32-359 A 3 b (11)		Add information requirement.
	9VAC25-32-359 A 3 b (12)		Add information requirement.
	9VAC25-32-359 A 3 b (13)		Add information requirement.
	9VAC25-32-359 B		Add subsection regarding the information requirements related to domestic septage.
	9VAC25-32-359 B 1		Add information requirement.
	9VAC25-32-359 B 2		Add information requirement.
	9VAC25-32-359 B 3		Add information requirement.
	9VAC25-32-359 B 4		Add information requirement.
	9VAC25-32-359 B 5		Add information requirement.
	9VAC25-32-359 B 6		Add information requirement.
	9VAC25-32-359 B 7		Add information requirement.
	9VAC25-32-359 B 8		Add information requirement.
9VAC25-32-360		Article 2 Operational and Monitoring Requirements	Article header deleted. Now included as part of new section 9VAC25-32-356.
9VAC25-32-360		Monitoring; records; reporting	Section header revised to refer to only "reporting" requirements.
9VAC25-32-360		The board may require the owner or operator of any facility to install, use, and maintain monitoring equipment.	Delete general introductory language. Replace with more specify language to clarify requirements.
	9VAC25-32-360 A		Add consolidated reporting requirements from 9VAC25-32-440.
	9VAC25-32-360 B		Add annual reporting requirement language from the VPDES for clarity.
	9VAC25-32-360 B 1		Add to specify report content requirements.
	9VAC25-32-		Add to specify report content

	360 B 2		requirements.
	9VAC25-32-360 C		Add language from 9VAC25-32-440 related to the calculation of biosolids application rates to clarify the requirements.
	9VAC25-32-360 D		Add language from 9VAC25-32-440 related to the requirements to maintain the required reports documenting the required treatment and quality characteristics and the maximum allowable land application loading rates.
	9VAC25-32-360 E		Add language from 9VAC25-32-440 related to the requirement for the generator and the owner to maintain records for a minimum period of five years.
9VAC25-32-370		Minimum biosolids sampling and testing program.	Section repealed.
9VAC25-32-380		Minimum operational testing and control program	Section repealed.
9VAC25-32-390		Additional monitoring, reporting and recoding requirements for land application.	Repeal Section: The section that details what must be included in the operations management plan includes these requirements.
9VAC25-32-400		Additional monitoring, reporting and recording requirements for sewage sludge and residual solids management.	Revise section header to just refer to "Additional monitoring".
9VAC25-32-400		Either the operation and maintenance manual, sludge management plan, or management practices plan shall contain a schedule of required minimum tests...	Delete duplicative language. Same information already contained in 9VAC25-32-410 related to the Operations Management Plan. The recordkeeping requirements are addressed in 9VAC25-32-359 and the reporting requirements are addressed in 9VAC25-32-360.
9VAC25-32-400 1		Whenever exceptional quality biosolids are marketed and distributed...	Delete duplicative language.
9VAC25-32-400 2		Whenever the application site are for biosolids process by Class I or II treatment...	Delete duplicative language.
9VAC25-32-400 2	9VAC25-32-400 A	The department may recommend that specified site specific monitoring be performed...	Add section numbering to clarify requirements. Revise language to clarify requirements: The department may require that additional site specific monitoring be performed...
9VAC25-32-400 2	9VAC25-32-400 A	Such recommendations will occur in situations in which groundwater	Grammatical correction and terminology correction. Revise to read: Such requirements may occur in situations in

		contamination, surface runoff, soil toxicity, health hazards or nuisance conditions are identified as an existing problem or documented as a potential problem as a result of biosolids use operations.	which ground water contamination, surface runoff, soil toxicity, health hazards or nuisance conditions are identified as an existing problem or potential problem as a result of biosolids use operations.
9VAC25-32-400 2	9VAC25-32-400 A		Add language related to additional monitoring: "Additional monitoring may include, but it is not limited to, ground water, surface water, crop and soil monitoring.
9VAC25-32-400 2		Requirements of 9VAC25-32-510 through 9VAC25-32-580 shall apply in full whether or not a monitoring waiver provisions is applicable.	Delete requirement.
	9VAC25-32-400 B		Add subsection "B" designation. Add text from 9VAC25-32-360 specifying that the board may require the owner or operator of any facility to install, use, and maintain monitoring equipment.
	9VAC25-32-400 C		Add subsection "C" designation. Add text from 9VAC25-32-380 C specifying that additional operational control information may be required.
	9VAC25-32-400 D		Add subsection "D" designation. Add text from 9VAC25-32-600 C specifying that the department may require biosolids to be tested for certain toxic organic compounds prior to agricultural use.
	9VAC25-32-400 E		Add subsection "E" designation. Add text from original VPA tables 2 B and 2C specifying that additional parameters may be required for screening purposes.
	9VAC25-32-400 F		Add subsection "F" designation. Add text from original VPA tables 2 B and 2 C specifying that microbiological testing may be necessary.
9VAC25-32-410		Operation and maintenance manuals.	Change section header to correct terminology: Operations Management Plan.
9VAC25-32-410 A		General requirements.	Delete section and replace with requirements for the permit holder to maintain an Operations Management Plan.
	9VAC25-32-410 A 1		Add requirement for an Operations Management Plan to include the materials developed and submitted at the time of permit application or modification.
	9VAC25-32-		Add requirement for an Operations

	410 A 2		Management Plan to include a nutrient management plan for each site.
	9VAC25-32-410 A 3		Add requirement for an Operations Management Plan to include an Operations and Maintenance Manual.
9VAC25-32-410 B		Contents of Operation and maintenance manuals.	Delete and replace with requirements for content of the operation and maintenance manual.
	9VAC25-32-410 B 1		Add specific requirement for the operation and maintenance manual to include equipment maintenance and calibration procedures and schedules.
	9VAC25-32-410 B 2		Add specific requirement for the operation and maintenance manual to include storage facility maintenance procedures and schedules.
	9VAC25-32-410 B 3		Add specific requirement for the operation and maintenance manual to include sampling schedules.
	9VAC25-32-410 B 3 a		Add to specify that a sampling schedule for required monitoring is required.
	9VAC25-32-410 B 3 b		Add to specify that a sampling schedule for operational control testing is required.
	9VAC25-32-410 B 4		Add specific requirement for sample collection, preservation and analysis procedures, including laboratories and methods used.
	9VAC25-32-410 B 5		Add specific requirement for instructions for recording and reporting of all monitoring activities to clarify requirements.
9VAC25-32-420	9VAC25-32-420 A	Operability - Independently operated essential equipment, or components, of biosolids use facilities, including treatment works shall be provided...	Add subsection "A" designation to clarify requirements. Revise text to clarify requirements: Independently operated essential equipment, or components, of biosolids use facilities and operations, including treatment works shall be provided...
9VAC25-32-420	9VAC25-32-420 A	Permit noncompliance shall be prevented in those situations in which the largest component is out of service.	Delete. Unnecessary language.
9VAC25-32-420	9VAC25-32-420 B	Operability – need for spare parts.	Add subsection “B” designation for clarification of requirements.
9VAC25-32-420	9VAC25-32-420 B	The need for spare parts should be determined from operational experience, evaluation of past maintenance requirements, etc.	Grammatical corrections and language change to reflect the mandatory nature of the requirements: The need for spare parts shall be determined from operational experience and evaluation of past maintenance requirements.
9VAC25-32-420	9VAC25-32-420 B	The inventory should list the minimum and maximum quantities of the	Delete statement. Statement suitable for inclusion in guidance.

		spare parts to be kept on hand, the equipment in which they are used, their storage location, replacement procedures and other pertinent information.	
9VAC25-32-420	9VAC25-32-420 C	Operability – sufficient spare parts.	Add subsection “C” designation for clarification of requirements.
9VAC25-32-420	9VAC25-32-420 C	Sufficient spare parts determined as necessary to ensure continuous operability of essential unit operations and equipment should be either located at the treatment works...	Revise to reflect the mandatory nature of the requirements: Sufficient spare parts determined as necessary to ensure continuous operability of essential unit operations and equipment shall be either located at the treatment works...
9VAC25-32-440		Biosolids monitoring/reporting	Repeal section
9VAC25-32-450		Sampling.	Change section heading to “Sampling, analysis and preservation” to more accurately reflect the section materials and to clarify section requirements.
9VAC25-32-450 A		Sampling. General: Composite samples are better than single grab samples because they define representative "average" levels of sludge characteristics. A large open container such as a one to two gallon capacity bucket will normally be necessary to obtain complete grab samples of sludge flows. The volume or weight of grab samples should be adjusted so as to represent approximately equal volumes or weights of the sludge volume or mass being sampled. These adjusted grab samples can then be added to form a composite sample.	Transfer general descriptive language to guidance for clarification of requirements. Replace with specific language to clarify requirements: "Representative samples of biosolids that is applied to the land or placed on a surface disposal site shall be collected and analyzed."
	9VAC25-32-450 A 1		Add language to specify requirements for raw sewage or sludge samples. Originally part of 9VAC25-32-370.
	9VAC25-32-450 A 2		Add language to specify requirements for final treated samples. Originally part of 9VAC25-32-370.
	9VAC25-32-450 A 3		Add language to specify requirements for composite samples. Originally part of 9VAC25-32-370.
9VAC25-32-		Liquid sludge.	Revise section header to read "Liquid

450 B			biosolids" to clarify requirements and for consistency of terminology.
9VAC25-32-450 C		Biosolids storage facilities.	Replace the term "should" with "shall" through the section to reflect the mandatory nature of the requirements.
9VAC25-32-450 C		A range of the recommended minimum number of grab samples that should be obtained from various sizes of sludge lagoons in order to obtain a representative composite sample is:	Revise to reflect the mandatory nature of the requirements and to make the specifications generic to all storage facilities. Add reference to "grab sample" table. "A range of the minimum number of grab samples that should be obtained from various sizes of biosolids storage facilities in order to obtain a representative composite sample is presented in Table 1 below:
9VAC25-32-450 C		Sampling – Biosolids storage facilities.	Add header to information presented in tabular form - "9VAC25-32-450 Table 1: Minimum Number of Grab Samples - Samples from Storage Facilities".
9VAC25-32-450 C		Tabular information on grab samples.	Revise tabular information now identified as Table 1 to read "Surface Area (Acres)" instead of "Lagoon Surface Area (Acres)" to reflect use of generic language.
9VAC25-32-450 D		Dewatered sludge.	Revise section header and other uses of the term "sludge" in this section to use the term "biosolids" for consistency in terminology.
9VAC25-32-450 E		Compost sampling. Composite samples are preferred so that a representative average level of compost characteristics...	Revise to clarify: Compost sampling. Collect composite samples composed of at least three grab samples of 1 kilogram or more so that a representative average level of compost characteristics...
9VAC25-32-450 E		Although the compost materials has been subjected to premixing...	Delete sentence. Requirement included in revised statement in subsection.
9VAC25-32-450 F		Analysis and preservation of samples.	Delete current section language and insert language from VPDES for consistency between regulations and provide reference to VPDES 9VAC25-31-490. "Biosolid samples shall be preserved and analyzed in accordance with methods listed in the Code of Federal Regulations at 40 CFR Part 136 (2007) and methods identified in 9VAC25-31-490.
9VAC25-32-460		Soils monitoring and reporting.	Revise header: Soils monitoring.
9VAC25-32-460	9VAC25-32-460 A.		Add subsection "A" designation for clarification of requirements.
9VAC25-32-460	9VAC25-32-460 A.	Soil should be sampled and analyzed prior...	Change language from "should" to "shall" to reflect the mandatory nature of the requirements: Soil shall be sampled and analyzed prior...

9VAC25-32-460	9VAC25-32-460 A.	...sampled and analyzed prior to sludge application...	Correct terminology: Replace the word "sludge" with "biosolids"...sampled and analyzed prior to biosolids application...
9VAC25-32-460	9VAC25-32-460 A.	After the land application program is underway, it may be necessary to continue monitoring...	Delete requirement. Requirement addressed in Table 6.
9VAC25-32-460	9VAC25-32-460 A.		Add: Soil shall be sampled and analyzed in accordance with Table 1 of this regulation. Clarifies requirement for sampling.
9VAC25-32-460	9VAC-25-32-460 A	Reduced monitoring will usually apply for typical agricultural utilization projects where biosolids are applied to farmland at or below agronomic rates or on an infrequent basis (see Table 5).	Revise to clarify requirement and change reference from Table 5 to Table 1 to reflect reorganization of tables throughout the regulation: Reduced monitoring may apply...
9VAC25-32-460	9VAC25-32-460 A	Reduced monitoring may also apply to one time sludge applications...	Revise to correct terminology: Reduced monitoring may also apply to one time biosolids applications.
9VAC25-32-460	9VAC25-32-460 A.		Insert "9VAC25-32-460 Table 1 Soil Test Parameters for Land Application Sites". A version of the table was originally included as Table 5 in 9VAC25-32-480 moved and revised to clarify requirements.
9VAC25-32-460		Generally, one subsample per acre should be taken for application sites of 10 acres or more receiving frequent applications...	Delete general statement to clarify requirements.
	9VAC25-32-460 B.		Add new subsection "B" for clarification of requirements that the permit applicant or permit holder may be required to conduct soil testing and analysis of additional parameters under certain conditions.
	9VAC25-32-460 C		Add new subsection to address sample collection.
9VAC25-32-480		Ground water monitoring and reporting.	Delete "groundwater" and replace with "ground water" in section heading to reflect usage in the water program.
9VAC25-32-480 A		Monitoring wells may be required by the board as recommended by the department for land treatment sites, sludge lagoons, or sludge holding facilities to monitor groundwater quality.	Revise to clarify requirements and to correct terminology: Monitoring wells may be required by the board for land treatment sites, sludge lagoons, biosolids land application sites or biosolids storage facilities to monitor ground water quality.
9VAC25-32-480 A		The wells should be designed...a driller's log shall be submitted to the	Delete requirement.



		department.	
9VAC25-32-480 B		Sampling procedures.	Delete requirement and replace with text that addresses the requirements for the submittal of a ground water monitoring plan to the department for approval.
	9VAC25-32-480 B 1		Add to specify minimum requirements for an approvable ground water monitoring plan.
	9VAC25-32-480 B 2		Add to specify minimum requirements for an approvable ground water monitoring plan.
	9VAC25-32-480 B 3		Add to specify minimum requirements for an approvable ground water monitoring plan.
	9VAC25-32-480 B 4		Add to specify minimum requirements for an approvable ground water monitoring plan.
	9VAC25-32-480 B 5		Add to specify minimum requirements for an approvable ground water monitoring plan.
9VAC25-32-480 C		Sample analysis and preservation techniques.	Delete requirement.
9VAC25-32-480 C		Table 2; Table 2 - A; Table 2 - B; Table 2 - C	Table 2 and associated text deleted from this section.
9VAC25-32-480 C		Table 3 Standards for documentation of pathogen control and vector attraction reduction levels for biosolids.	Table 3 and associated text deleted from this section.
9VAC25-32-480 C		Table 4 Example of Report for Submission to Field Offices	Table 4 deleted from this section.
9VAC25-32-480 C		Table 5 Recommended Soil Test Parameters for Land Application Sites – Biosolids Application.	Table 5 deleted from this section.
9VAC25-32-480 C		Table 6	Table 6 deleted from this section.
9VAC25-32-500		Sludge management.	Revise section header to "Biosolids management".
9VAC25-32-500 A		Sludge management activities shall be described in a sludge management plan or a management practices plan submitted by the owner or the owner's agent to the department for review and approval in accordance with this section.	Revise to reflect correct terminology and to clarify requirements: Biosolids management activities shall be described in a biosolids operations management plan submitted by the owner or the owner's agent to the department for review and approval at the time of permit application.
9VAC25-32-500 A		Before sludge is utilized or disposed of, its potential effects on the land and state waters should be	Delete statements. Statements are narrative and unnecessary.

		evaluated...contaminants in order to comply with this regulation.	
9VAC25-32-500 B		The scope and purpose, requirements...are described in this subsection. The general purpose of these plans is to facilitate...means of use of biosolids developed from that sludge by the owner or his agent (9VAC25-32-670 and 9VAC25-32-680).	Delete existing text (more suitable for guidance) and replace with text to specify the requirements for the biosolids operations management plan.
9VAC25-32-500 B 2		Complete sludge management plans or management practices plans shall be submitted...	Delete existing text. This subsection is not longer necessary. Existing VPA application processing guidelines apply.
9VAC25-32-500 B 3		Submission and approval of sludge management plans...	Delete existing text. This subsection is not longer necessary. Existing VPA application processing guidelines apply.
9VAC25-32-500 B 3 a		Three copies of the final sludge management plan...	Delete existing text. This subsection is not longer necessary. Existing VPA application processing guidelines apply.
9VAC25-32-500 B 3 b		Upon receipt of comments...	Delete existing text. This subsection is not longer necessary. Existing VPA application processing guidelines apply.
9VAC25-32-500 B 3 c		The board will approve the plan...	Delete existing text. This subsection is not longer necessary. Existing VPA application processing guidelines apply.
	9VAC25-32-500 C		Add text regarding the submittal of a complete biosolids operations management plan. Originally part of 9VAC25-32-500 B 2. Moved and revised to clarify requirements.
9VAC25-32-510.		General biosolids use standards.	Repeal Section.
	9VAC25-32-515		Add new section to address Notification of land application activity.
	9VAC25-32-515 A		Add new subsection to clarify requirements for written notification.
	9VAC25-32-515 A 1		Add requirement for written notification at least 100 days prior to commencing land application of biosolids at a permitted site. (Statutory language)
	9VAC25-32-515 A 2		Add requirement for written notification at least 14 days prior to commencing land application of biosolids at a permitted site.
	9VAC25-32-515 A 2 a		Add requirement for notice to include the name, address and telephone number of the permit holder.
	9VAC25-32-515 A 2 b		Add requirement for notice to include an identification tax number and the DEQ control number.

	9VAC25-32-515 A 2 c		Add requirement for notice to include a map indicating haul routes to each site.
	9VAC25-32-515 A 2 d		Add requirement for notice to include the name or title and telephone number of an individual designated by the permit holder to respond to question and complaints.
	9VAC25-32-515 A 2 e		Add requirement for notice to include the approximate dates on which land application is to begin and end at the site.
	9VAC25-32-515 A 2 f		Add requirement for notice to include contact information for the department.
	9VAC25-32-515 A 2 g		Add requirement for notice to include the name, address and telephone number of the wastewater treatment facility from which the biosolids will originate.
	9VAC25-32-515 A 2 h		Add requirement for notice to include the most probable order that land application will commence if multiple sites are included in the notification.
	9VAC25-32-515 A 3		Add requirement for daily notification prior to commencing planned land application activities.
	9VAC25-32-515 B		Add section to clarify the requirements for the posting of signs.
	9VAC25-32-515 B 1		Add requirement for the posting of signs at least 5 business days prior to delivery of biosolids for land application.
	9VAC25-32-515 B 1 a		Add requirement for the posting of signs along each road frontage.
	9VAC25-32-515 B 1 b		Add requirement for posting of signs at or near the intersection of the public right-of-way and the main site access road to the site.
	9VAC25-32-515 B 1 c		Add provision for the granting of waivers to the requirements for the posting of signs.
	9VAC25-32-515 B 2		Add sign construction requirements.
	9VAC25-32-515 B 2 a		Add to specify that the sign shall contain a statement that biosolids are being land applied at the site.
	9VAC25-32-515. B 2 b		Add to specify that the sign shall contain the name and telephone number of the permit holder.
	9VAC25-32-515 B 2 c		Add to specify that the sign shall contain contact information for the department.
	9VAC25-32-515 B 3		Add to specify that the permit holder shall make a good faith effort to replace or repair signs when needed.
	9VAC25-32-515 C		Add section to clarify the requirements for the handling of complaints.
	9VAC25-32-515 C 1		Add requirement for the investigation of a complaint within 24 hours of receiving

			notification of a complaint and determination of whether the complaint is substantive.
	9VAC25-32-515 C 2		Add to clarify the meaning of "substantive complaint" for the purposes of this section.
	9VAC25-32-515 C 3		Add requirement for localities receiving complaints concerning land application of biosolids to notify the department and the permit holder within 24 hours of receiving the complaint.
9VAC25-32-520		Sludge quality and composition.	Repeal section. Requirements already addressed in 9VAC25-32-450.
9VAC25-32-530		Land acquisition and management control	Revise section header to read: Land acquisition.
9VAC25-32-530 A		When land application of sludge is proposed, the continued availability of the land and protection from improper concurrent use during the utilization period shall be assured.	Revise to clarify requirements: When an application to permit land application of biosolids is submitted to the department, the permit applicant shall ensure the continued availability of the land and protection from improper concurrent use during the utilization period.
9VAC25-32-530 A		A written agreement shall be established...	Delete remainder of section, requirements now addressed in new section 9VAC25-32-530 B.
	9VAC25-32-530.B		Add: Land acquisition requirements:
	9VAC25-32-530 B 1		Add: Permit holders shall use a unique control number assigned by the department as an identifier for fields permitted for land application.
	9VAC25-32-530 B 2		Add: A written agreement shall be established between the landowner and permit applicant or permit holder to be submitted with the permit application, whereby the landowner shall consent to apply biosolids on his property and certify that no concurrent agreements exist for the fields to be permitted. The responsibility for obtaining and maintaining the agreements lies with the permit holder. The written agreement shall be submitted to the department with the permit application.
	9VAC25-32-530 B 3		Add: New landowner agreements shall be submitted to the department with each application for issuance or reissuance of a permit or the modification to add land to an existing permit that authorizes the land application of biosolids.
9VAC25-32-530 B		Posting of signs.	Delete section. Requirement now addressed in 9VAC25-32-510 B 1.
9VAC25-32-530 C		Signage requirements.	Delete section. Requirements now addressed and specified in 9VAC25-32-

			510 B 2.
9VAC25-32-530 C 1		Signage requirements.	Delete section. Requirement now addressed and specified in 9VAC25-32-510 B 2 a.
9VAC25-32-530 C 2		Signage requirements.	Delete section. Requirement now addressed and specified in 9VAC25-32-510 B 2 b.
9VAC25-32-530 C 3		Signage requirements.	Delete section. Requirement now addressed and specified in 9VAC25-32-510 B 2 c.
9VAC25-32-530 D		Signage requirements.	Delete section. Requirement now addressed and specified in 9VAC25-32-510 B 3.
9VAC25-32-540 A		Transport – transport routes: Transport routes should follow primary highways, should avoid residential areas when possible, and should comply with all Virginia Department of Transportation requirements and standards.	Change language from “should” to “shall” to reflect the mandatory nature of the requirements. Transport routes shall follow primary highways, shall avoid residential areas when possible, and shall comply with all Virginia Department of Transportation requirements and standards.
9VAC25-32-540 A		Transport...	Revise terminology throughout section to replace the term "sludges" or "sludge" with "biosolids".
9VAC25-32-540 A		Transport...	Correct section references from 9VAC25-32-670 and 9VAC25-32-680 to 9VAC25-32-60 F.
9VAC25-32-540 B		The permit holder shall be responsible for the prompt cleanup and removal of biosolids spilled during the transport to the land application site or to or from a storage facility.	Revise: The destination is irrelevant to spillage. "The permit holder shall be responsible for the prompt cleanup and removal of biosolids spilled during transport.
9VAC25-32-540 D.		Transport – offsite spills – reporting requirements.	Correct the reference to the Department of Environmental Quality instead of the Department of Health.
9VAC25-32-540 E		Transport – spill response report requirements.	Correct the reference to the Department of Environmental Quality instead of the Department of Health.
	9VAC25-32-545		Add new section to clarify the requirements for staging of biosolids for land application.
	9VAC25-32-545 A		Add to clarify that staging of biosolids shall not commence unless the field meets the requirements for land application.
	9VAC25-32-545 B		Add to identify and clarify the requirements for and the conditions under which staging can occur.
	9VAC25-32-545 B 1		Add staging requirement.

	9VAC25-32-545 B 2		Add staging requirement.
	9VAC25-32-545 B 3		Add staging requirement.
	9VAC25-32-545 B 4		Add staging requirement.
	9VAC25-32-545 B 5		Add staging requirement.
	9VAC25-32-545 B 6		Add staging requirement.
	9VAC25-32-545 B 7		Add staging requirement.
	9VAC25-32-545 B 8		Add staging requirement.
	9VAC25-32-545 B 9		Add staging requirement.
	9VAC25-32-545 B 10		Add staging requirement.
	9VAC25-32-545 B 11		Add staging requirement.
	9VAC25-32-545 B 12		Add staging requirement.
	9VAC25-32-545 B 13		Add staging requirement.
9VAC25-32-550 A		No person shall apply to the Department of Environmental Quality for a permit, a variance, or a permit modification authorizing storage of sewage sludge without first complying with all requirements...	Revise to correct terminology: No person shall apply to the department for a permit, a variance, or a permit modification authorizing storage of biosolids without first complying with all requirements...
9VAC25-32-550 B		Three types of storage may be integrated into a complete sludge management plan including...	Revise: Two types of storage may be integrated into a complete biosolids operations management plan:
9VAC25-32-550 B		Types of storage allowed.	Delete types of storage included in the text. Allowed types of storage now included as new 9VAC25-32-550 B 1 and 9VAC25-32-550 B 2 to clarify requirements.
	9VAC25-32-550 B 1		Add: On-site storage; or,
	9VAC25-32-550 B 2		Add: Routine storage. Only routine storage facilities shall be considered a facility under this regulation.
9VAC25-32-550 C		Emergency storage.	Delete emergency storage language.
9VAC25-32-550 D		Temporary storage.	Delete temporary storage language.
9VAC25-32-550 D 1		Temporary storage.	Delete temporary storage language.
9VAC25-32-		Temporary storage.	Delete temporary storage language.

550 D 2			
9VAC25-32-550 D 3		Temporary storage.	Delete temporary storage language.
9VAC25-32-550 D 4		Temporary storage.	Delete temporary storage language.
9VAC25-32-550 D 5		Temporary storage.	Delete temporary storage language.
9VAC25-32-550 D 6		Temporary storage.	Delete temporary storage language.
9VAC25-32-550 D 7		Temporary storage.	Delete temporary storage language.
	9VAC25-32-550 C		Add new section to identify and clarify the requirements and conditions for on-site storage.
	9VAC25-32-550 C 1		Add on-site storage requirement.
	9VAC25-32-550 C 2		Add on-site storage requirement.
	9VAC25-32-550 C 3		Add on-site storage requirement.
	9VAC25-32-550 C 4		Add on-site storage requirement.
	9VAC25-32-550 C 5		Add on-site storage requirement.
	9VAC25-32-550 C 6		Add on-site storage requirement.
	9VAC25-32-550 C 7		Add on-site storage requirement.
	9VAC25-32-550 C 8		Add on-site storage requirement.
	9VAC25-32-550 C 9		Add on-site storage requirement.
	9VAC25-32-550 C 10		Add on-site storage requirement.
	9VAC25-32-550 C 11		Add on-site storage requirement.
9VAC25-32-550 E	9VAC25-32-550 D	Routine storage	Revise section numbering to reflect deletion and addition of sections.
9VAC25-32-550 E	9VAC25-32-550 D	Routine storage.	Insert to clarify requirements: Routine storage is the long-term storage of biosolids at a facility pre-approved by the department and constructed specifically for the storage of biosolids to be applied at any site included in permits held by the permit holder of the storage facility.
9VAC25-32-550 E	9VAC25-32-550 D	Routine storage.	Insert to clarify requirements: No person shall apply to the department for a permit, a variance, or a permit modification authorizing storage of biosolids without first complying with all requirements adopted pursuant to § 62.1-44.19:3 A 5 of the Code of Virginia.
9VAC25-32-550 E	9VAC25-32-550 D	Routine storage.	Add to clarify requirements: The minimum information requirements

			include:
9VAC25-32-550 E 1	9VAC25-32-550 D 1	Location	Section reorganized and renumbered to clarify requirements.
9VAC25-32-550 E 1	9VAC25-32-550 D 1 a	The facility shall be located at an elevation...	Item renumbered for clarification of requirements.
9VAC25-32-550 E 1	9VAC25-32-550 D 1 b	Storage facilities should be located to provide minimum visibility.	Item renumbered for clarification of requirements.
9VAC25-32-550 E 1	9VAC25-32-550 D 1 c	All storage facilities with a capacity in excess of 100 wet tons and located offsite of property owned by the generator shall be provided with a minimum 750-foot buffer zone...	Item renumbered and revised or clarification of requirements: Remove capacity statement: All storage facilities located offsite of property owned by the generator shall be provided with a minimum 750-foot buffer zone...
9VAC25-32-550 E 2	9VAC25-32-550 D 2.	Design capacity.	Section reorganized and renumbered to clarify requirements.
9VAC25-32-550 E 2	9VAC25-32-550 D 2 a	The design capacity shall be sufficient to store a minimum volume...	Item renumbered for clarification of requirements.
9VAC25-32-550 E 2	9VAC25-32-550 D 2 a	The design capacity shall be sufficient to store a minimum volume...	Revise/Insert text: The design capacity for storage of liquid biosolids shall be sufficient to store a minimum volume...
9VAC25-32-550 E 2	9VAC25-32-550 D 2 b	If alternate methods of management cannot be adequately verified, contractors should provide for a minimum of 30 days of in-state routine storage capacity...	Item renumbered for clarification of requirements. Replace the word "sludge" with the word "biosolids" in this section to clarify requirements.
9VAC25-32-550 E 3	9VAC25-32-550 D 3	Construction.	Item renumbered for clarification of requirements.
	9VAC25-32-550 D 3 a		Add: The biosolids shall be stored on an engineered surface with a maximum permeability of $10^{-7}$ cm/sec and of sufficient strength to support operational equipment.
	9VAC25-32-550 D 3 b		Add: Storage facilities designed to hold dewatered biosolids shall be constructed with a cover to prevent contact with precipitation.
9VAC25-32-550 E 3	9VAC25-32-550 D 3 c	Storage facilities shall be of uniform shape (round, square, rectangular) with no narrow or elongated portions. The facilities shall be lined in accordance with the requirements contained in sewerage regulations or certificate.	Section renumbered. Delete requirement for the facility to be lined.
9VAC25-32-550 E 3	9VAC25-32-550 D 3 d	The facilities shall also be designed to permit access of equipment...	Section renumbered. Revise: Replace the word "sludge" with the word "biosolids". Replace the word "should" with "shall" to reflect the mandatory



			nature of the requirement.
9VAC25-32-550 E 3	9VAC25-32-550 D 3 e	Design should also provide for truck cleaning facilities as necessary. Storage facilities with a capacity of 100 wet tons or less shall comply with the provisions for temporary storage as a minimum.	Renumber section. Revise to read: The design shall also provide for truck cleaning facilities. Delete the remainder of the requirement listed.
9VAC25-32-550 E 4	9VAC25-32-550 D 4	Monitoring.	Item renumbered for clarification of requirements. Revise: Replace word "sludge" with the word "biosolids".
9VAC25-32-550 E 4	9VAC25-32-550 D 4	Section reference.	Correct subsection reference and section reference.
9VAC25-32-550 E 5	9VAC25-32-550 D 5	Operation.	Item renumbered and reorganized for clarification of requirements.
9VAC25-32-550 E 5	9VAC25-32-550 D 5 a	Only biosolids suitable for land application...	Item renumbered for clarification of requirements.
9VAC25-32-550 E 5	9VAC25-32-550 D 5b	Storage of biosolids located offsite or remote...	Item renumbered for clarification of requirements.
9VAC25-32-550 E 5	9VAC25-32-550 D 5 c	Storage facilities...	Item renumbered for clarification of requirements. Replace "should" with "shall" to reflect the mandatory nature of the requirements.
9VAC25-32-550 E 5	9VAC25-32-550 D 5 d	Complete plans for supernatant disposal...	Item renumbered for clarification of requirements. Correct subsection reference. Replace "sludge" with "biosolids".
9VAC25-32-550 E 5	9VAC25-32-550 D 5 e	The facility site shall be fenced...	Item renumbered for clarification of requirements. Replace "should" with "shall" to reflect the mandatory nature of the requirements.
	9VAC25-32-550 D 5 f		Add requirement regarding malodors.
9VAC25-32-550 E 6	9VAC25-32-550 D 6	Closure.	Item renumbered for clarification of requirements.
9VAC25-32-550 E 7	9VAC25-32-550 D 7	Recordkeeping.	Item renumbered for clarification of requirements. Correct subsection reference.
9VAC25-32-560 A 1		Requirements applicable to land application of biosolids. All biosolids application rates, application times and other site management operations shall be restricted as specified in the approved management practices plan. The management practices plan shall include...	Revise to include new term used to avoid inconsistent terminology and correct section reference: All biosolids application rates, application times and other site management operations shall be restricted as specified in the approved operations management plan. The operations management plan shall include a nutrient management plan as required by 9VAC25-32-410 and prepared...
	9VAC25-32-560 A 1 a		Add: A nutrient management plan shall be developed for all application sites

			prior to biosolids application.
	9VAC25-32-560 A 1 b		Add: The nutrient management plan shall be available for review by the department at the land application site during biosolids land application.
	9VAC25-32-560 A 1 c		Add: Within 30 days after land application at the site has commenced, the permit holder shall provide a copy of the nutrient management plan to the department, the farm operator of the site, the Department of Conservation and Recreation regional office and the chief executive officer or designee for the local government, unless they request in writing not to receive the nutrient management plan.
	9VAC25-32-560 A 1 d		Add: The nutrient management plan must be approved by the Department of Conservation and Recreation prior to land application for application sites where the soil test phosphorus levels exceed the values of Table 1 of this section.
	9VAC25-32-560 A 1 d		Add: Table 1 to identify the soil phosphorus levels requiring nutrient management plan approval by the Department of Conservation and Recreation.
	9VAC25-32-560 A 1 e		Add subdivision language requiring approval of the nutrient management plan by the Department of Conservation and Recreation under certain circumstances.
9VAC25-32-560 A 2			Correct section references from 9VAC25-32-310 et seq. to 9VAC25-32-303 et seq. to account for the addition of new sections.
9VAC25-32-560 B		Biosolids utilization methods – Agricultural use.	Revise: Replace term "sewage sludge" with "biosolids". Table reference and the last sentence of the section is not necessary.
9VAC25-32-560 B 1		Sludge treatment.	Correct terminology: Replace "sludge" with "biosolids": Biosolids treatment.
9VAC25-32-560 B 2		Biosolids utilization methods - Agricultural use - Site soils: Soils best suited for agricultural use should possess good tilth and drainage capabilities, have moderate to high surface infiltration rates and moderate to slow subsoil permeability.	Subsection text deleted. Requirements revised and included in new subdivisions or included as guidance. Revised to refer to section header only: Site soils.
	9VAC25-32-560 B 2 a		Add new subdivision numbering. Add: Depth to bedrock restriction.

	9VAC25-32-560 B 2 b		Add new subdivision numbering. Add: Seasonal high water table restriction. Originally part of 9VAC25-32-560 B 2 but modified to update obsolete SCS term and to remove duplicative statement.
9VAC25-32-560 B 2	9VAC25-32-560 B 2 c		Add new subdivision numbering to clarify existing pH restriction.
	9VAC25-32-560 B 2 d		Add new subdivision to clarify the requirements for soil test pH.
	9VAC25-32-560 B 2 e		Add new subdivision to clarify the requirements for soil test potassium levels.
9VAC25-32-560 B 3 a		...Site specific application rates should be proposed using pertinent biosolids plant available nitrogen (PAN) and crop nutrient needs (agronomic rate listed in Table 10) and the cumulative trace element loading rates...	Requirement modified to clarify requirements: ...Site specific application rates shall not exceed the rates established in the nutrient management plan nor result in exceedance of the cumulative trace element loading rates specified in 9VAC25-32-356 Table 2.
9VAC25-32-560 B 3 a		Lime amended biosolids shall be applied...	Delete requirement
9VAC25-32-560 B 3 a	9VAC25-32-560 B 3 b	Agricultural use of treated septage shall be in accordance with these requirements. (Table 12)	Requirement numbered as new subsection 9VAC25-32-560 B 3 c and modified to clarify requirements: Agricultural use of treated septage shall be in accordance with the same requirements as biosolids.
	9VAC25-32-560 B 3 c		Add to address crops not addressed by DCR Nutrient Management Plan criteria.
	9VAC25-32-560 B 3 c(1)		Add to address crops not addressed by DCR Nutrient Management Plan criteria.
	9VAC25-32-560 B 3 c (2)		Add to address crops not addressed by DCR Nutrient Management Plan criteria.
	9VAC25-32-560 B 3 c (3)		Add to address crops not addressed by DCR Nutrient Management Plan criteria.
9VAC25-32-560 B 3 a			Delete text: The biosolids application rate, application timing and all other site management practices...
	9VAC25-32-560 B 3 e		Add subdivision header.
9VAC25-32-560 B 3 a (1)	9VAC25-32-560 B 3 e (1)	For infrequent applications, biosolids may be applied...	Revise for clarity and to delete narrative statement: Infrequent. If biosolids are applied to a field only once in a 3 year period, biosolids may be applied such that the total crop needs for nitrogen is not exceeded during a one-year crop rotation period including the production and harvesting of two crops in succession within a consecutive 12-month growing season. The infrequent application rate may be restricted: (i) down to 10% of the maximum

			cumulative loading rate (9VAC25-32-356 Table 2) for cadmium and lead or (ii) to account for all sources of nutrients applied to the site, including existing residuals.
9VAC25-32-560 B 3 a (2)	9VAC25-32-560 B 3 e (1)	Infrequent application rate restriction.	Text moved to include as part of previous text for clarification.
9VAC25-32-560 B 3 a (3)		The infrequent application rate may also be restricted by the lime content of the biosolids.	Delete; Duplicative requirement already included in soli pH limitations section.
9VAC25-32-560 B 3 a (4)		For systems designed for frequent application of biosolids...	Delete requirement - obsolete with the addition of Nutrient Management Plan requirements.
9VAC25-32-560 B 3 a (5)	9VAC25-32-560 B 3 e (2)	Frequent below-agronomic application rate...	Subdivision renumbered and revised to refer to Code of Virginia instead of Table 10. Changed to reflect the requirements in the DCR Nutrient Management Plan standards and criteria. Subdivision header added.
9VAC25-32-560 B 3 a (5) (a)	9VAC25-32-560 B 3 e (2)	A maximum of 70% of the nitrogen requirement...	Text moved and revised to clarify requirements.
9VAC25-32-560 B 3 a (5) (b)		A maximum of 50% of the nitrogen requirement...	Text deleted: Obsolete with NMP requirement.
9VAC25-32-560 B 3 a (5) (b)	9VAC25-32-560 B 3 e (2)	For systems designed for frequent below-agronomic rates...	Text moved and revised to clarify requirements and to remove obsolete requirements
9VAC25-32-560 B 3 b		Biosolids utilization methods – Agricultural use – standards slopes and topography.	Subdivision deleted: Sentences are narrative in nature and provide no specific requirements.
9VAC25-32-560 B 3 c	9VAC25-32-560 B 3 f	Biosolids utilization methods – Agricultural use – Operations.	Subdivision renumbered to clarify requirements.
9VAC25-32-560 B 3 c (1)	9VAC25-32-560 B 3 f (1)	Field management.	Subdivision renumbered and revised to clarify requirements. Terminology revised for clarify and consistence Refer to operations management plan. Add reference that biosolids shall be applied such that uniform application is achieved.
9VAC25-32-560 B 3 c (1)	9VAC25-32-560 B 3 f (2)	Biosolids utilization methods – Agricultural use – Operations – surface incorporation.	Added subdivision designation and heading to existing text to clarify requirements for surface incorporation.
	9VAC25-32-560 B 3 f (3)		Added to specify restriction for slopes above 15%.
	9VAC25-32-560 B 3 f (4)		Added to specify that biosolids application timing and slope restrictions shall conform to criteria contained in regulations promulgated pursuant to § 10.1-104.2 of the Code of Virginia.
9VAC25-32-		In accordance with the	Delete to clarify requirements and

560 B 3 c (1)		management practices plan...	remove duplicative statements.
9VAC25-32-560 B 3 c (1) (a)		Biosolids are surface applied or subsurface injected beneath an established living crop...	Delete to clarify requirements and remove duplicative statements.
9VAC25-32-560 B 3 c (1) (b)		Biosolids are surface applied or subsurface injected so that immediately after application...	Delete to clarify requirements and remove duplicative statements.
9VAC25-32-560 B 3 c (1) (c)		Biosolids are applied by surface application or subsurface injection and the site is operated in compliance with an existing soil conservation plan...	Delete to clarify requirements and remove duplicative statements.
9VAC25-32-560 B 3 c (1)		In accordance with the management practices plan...	Delete to clarify requirements and remove duplicative statements.
9VAC25-32-560 B 3 c (2)	9VAC25-32-560 B 3 f (5)	Restrictions.	Subdivision heading changed to Snow to clarify requirements. Subdivision renumbered to account for revised subdivision numbering.
9VAC25-32-560 B 3 c (2)	9VAC25-32-560 B 3 f (5)	Restrictions. Biosolids application shall not be made during times when the seasonal high water table of the soil is within 18 inches of the ground surface. Biosolids may only be applied to snow-covered ground if the snow cover does not exceed one inch and the snow and biosolids are immediately incorporated within 24 hours of application.	Subdivision text revised to eliminate duplicative requirements and to clarify requirements. Statement added to clarify requirements: Snow. Biosolids may only be applied to snow-covered ground if the snow cover does not exceed one inch and the snow and biosolids are incorporated within 24 hours of application. If snow melts during biosolids application, incorporation is not necessary.
9VAC25-32-560 B 3 c (2)		Liquid sludge may not be applied...iv) the site soils are characterized as well drained.	Delete requirement.
9VAC25-32-560 B 3 c (2)		In accordance with the management practices plan, when biosolids are land applied between March 15 and September 1...	Text deleted: This requirement is duplicative of that found in DCR's NMP regulations.
9VAC25-32-560 B 3 c (2)		On sites with a high leaching index...	Text deleted: Leaching index is obsolete; timing requirements for these sites are addressed in the DCR NMP Standards and Criteria.
9VAC25-32-	9VAC25-32-	Biosolids utilization	Renumber subdivision to accommodate

560 B 3 d	560 B 3 g	methods – Agricultural use – Buffer zones	new subsection and subdivision numbering.
9VAC25-32-560 B 3 d (1)	9VAC25-32-560 B 3 g (1)	Biosolids utilization methods – Agricultural use – Buffer zones – setback distances: Setback distance. If slopes are greater than 7.0% and biosolids will be applied between November 16 and March 15, setback distances to perennial streams and other surface water bodies shall be doubled. The location of land application of biosolids shall not occur within the following minimum buffer zone requirements:	Renumber subdivision to accommodate new subsection and subdivision numbering and revised to clarify requirements and to add reference to “9VAC25-32-560 Table 2”. Setback distances. The location of land application of biosolids shall not occur within the following minimum buffer zone requirements (Table 2 of this section):
9VAC25-32-560 B 3 d (1)	9VAC25-32-560 B 3 g (1)	Biosolids utilization methods – Agricultural use – Buffer zones – setback distances - Table	Add table header for “9VAC25-32-560 Table 2: Minimum Buffer Zone Requirements” for information originally included as part of the subsection text to clarify requirements.
9VAC25-32-560 B 3 d (1)	9VAC25-32-560 B 3 g (1)	Minimum Distances to Land Application Area - Occupied dwellings	Delete reference to ft. (already included as unit of measurement for table). Add footnote 2,3, & 4 reference.
9VAC25-32-560 B 3 d (1)	9VAC25-32-560 B 3 g (1)	Minimum Distances to Land Application Area - Water supply wells or springs - Surface Application - 100 ft.	Delete reference to ft. (already included as unit of measurement for table).
	9VAC25-32-560 B 3 g (1)		Add "Water supply reservoirs" to list of adjacent features and insert 400 as the buffer for all categories. Restriction added for additional protection for water supply reservoirs. Add footnote #5 reference.
	9VAC25-32-560 B 3 g (1)		Add "All streams and tributaries within 5 miles upstream from a designated PWS public water intake to list of Adjacent features and insert 100 as the buffer for all categories. Restriction added for additional protection of waters upgradient of water supply reservoirs.
	9VACV25-32-560 B 3 g (1)		Add "Property Lines, w/o the presence of an "occupied dwelling" or an "odor sensitive receptor" to the list of Adjacent features and insert 50 feet as the buffer for all categories.
9VAC25-32-560 B 3 d (1)	9VAC25-32-560 B 3 g (1)	Minimum Distances to Land Application Area - Property lines - Surface Application - 100 ft.	Delete reference to ft. (already included as unit of measurement for table). Revise category to read "Property Lines, with the presence of an "occupied

			dwelling: or an "odor sensitive receptor" to clarify the requirements. Add footnote #6 reference. Change required buffer to 100 feet for all categories.
9VAC25-32-560 B 3 d (1)	9VAC25-32-560 B 3 g (1)	Minimum Distances to Land Application Area - Perennial streams and other surface waters except intermittent streams - Surface Application - 50 ft.	Delete reference to ft. (already included as unit of measurement for table).
9VAC25-32-560 B 3 d (1)	9VAC25-32-560 B 3 g (1)	Minimum Distances to Land Application Area - Intermittent streams/drainage ditches - Surface Application - 25 ft.	Delete reference to ft. (already included as unit of measurement for table).
9VAC25-32-560 B 3 d (1)	9VAC25-32-560 B 3 g (1)	Minimum Distances to Land Application Area - All improved roadways - Surface Application - 10 ft.	Delete reference to ft. (already included as unit of measurement for table).
9VAC25-32-560 B 3 d (1)	9VAC25-32-560 B 3 g (1)	Minimum Distances to Land Application Area - Rock outcrops and sinkholes - Surface Application - 25 ft.	Revise category to read: Rock outcrops for consistency with VPA regulations for animal feeding operations. Delete reference to ft. (already included as unit of measurement for table).
	9VAC25-32-560 B 3 g (1)		Add category for Limestone rock outcrops and sinkholes. Revised for consistency with DCR NMP Standards and Criteria. Guidance for application in Karst areas will be developed.
9VAC25-32-560 B 3 d (1)	9VAC25-32-560 B 3 g (1)	Minimum Distances to Land Application Area - Agricultural drainage ditches with slopes equal to or less than 2.0% - Surface Application - 10 ft.	Delete reference to ft. (already included as unit of measurement for table).
	9VAC25-32-560 B 3 g (1)		Correct grammatical error in Footnote #1: Use the word "disked" not "disced".
	9VAC25-32-560 B 3 g (1)		Add footnote #2: The buffer to occupied dwellings may be reduced or waived upon written consent of the occupant of the dwelling.
	9VAC25-32-560 B 3 g (1)		Add footnote #3: Buffer may be extended by DEQ based on documented site specific conditions.
	9VAC25-32-560 B 3 g (1)		Add footnote #4: Buffer may exceed 400 feet but only with certification from the Virginia Department of Health that a buffer in excess of 400 feet is necessary to prevent specific and immediate injury to the health of an individual
9VAC25.32-560 B 3 g (1)	9VAC25-32-560 B 3 g (1)		Revise footnote number to account for the addition of footnotes.
	9VAC25-32-560 B 3 g (1)		Add footnote: Property line buffers may be reduced or waived upon written

			consent of the adjacent property resident or landowner.
9VAC25-32-560 B 3 d (1)	9VAC25-32-560 B 3 g (2)	Buffer zones – Reduced buffer setback distances.	Add subsection numbering and header to clarify requirements. Reduced buffer setback distances.
9VAC25-32-560 B 3 d (1)	9VAC25-32-560 B 3 g (2)	Written consent of affected landowners is required to reduce buffer distances from property lines and dwellings.	Delete: Requirement wording revised and inserted as new footnote 3 in Table 1.
	9VAC25-32-560 B 3 g (3)		Add subdivision to address "waivers": Waivers from adjacent property residents and landowners may only be used to reduce buffer distances from occupied dwellings and property lines.
9VAC25-32-560 B 3 d (2)	9VAC25-32-560 B 3 g (4)	Extended buffer setback distances.	Subdivision renumbered to account for previous subdivision renumbering and the addition of new section.
9VAC25-32-560 B 3 d (2)	9VAC25-32-560 B 3 g (5)	Extended buffer setback distances...When necessary, buffer zone setback distances from odor sensitive receptors may be extended...	Text deleted. Requirement addressed in buffer zone table (9VAC25-32-560 Table 1)
	9VAC25-32-560 B 3 h		Add section heading and text to clarify requirements for voluntary extensions of buffer distances. Text added to clarify how DEQ handles voluntary buffer extensions, particularly regarding enforceability.
	9VAC25-32-560 B 3 i		Add section heading and text to clarify requirements for use of a phosphorus index. Text added to clarify another mechanism by which buffers would be extended.
9VAC25-32-560 B 3 e		Monitoring and testing.	Delete requirement.
9VAC25-32-560 C 1		Sludge standards. Refer to 9VAC25-32-590 and 9VAC25-32-660 of this Article.	Correct terminology and revise section reference: Biosolids standards. Refer to 9VAC25-32-590 of this Article.
9VAC25-32-560 C 2		Site suitability:	Revise to clarify requirements: Site suitability.
9VAC25-32-560 C 2	9VAC25-32-560 C 2 a	Site suitability requirements should conform to subdivision A 2 of this section.	Revise and renumber: Site suitability requirements shall conform to the requirements contained in 9VAC25-32-560 B 2.
9VAC25-32-560 C 2	9VAC25-32-560 C 2 b	The soil pH should be managed at the natural soil pH for the types of trees proposed for growth.	Revise and renumber: Notwithstanding the requirements of 9VAC25-32-560 B 2 the soil pH shall be managed at the natural soil pH for the types of trees proposed for growth.
	9VAC25-32-560 C 2 c		Add to clarify requirements: Notwithstanding the requirements of 9VAC25-32-560 B 2 the soil test



			potassium level is not required to be at a minimum level at the time of biosolids application.
9VAC25-32-560 C 3 a		Application rates. Biosolids application rates shall be in accordance with the management practices plan and information provided by the Virginia Department of Forestry.	Revise to clarify requirements and to correct terminology: Biosolids application rates shall be in accordance with the operations management practices plan. The operations management plan shall include information provided by the Virginia Department of Forestry. Reworded to clarify that VDF recommendations should be included in the OMP.
9VAC25-32-560 C 3 b (1) (a)		Operations - Field management use of high pressure spray.	Revise to clarify public access restrictions.
9VAC25-32-560 C 3 b (1) (b)		Wind velocity condition.	Delete requirement. Not consistent with requirements for agricultural use. Requirements included in guidance.
9VAC25-32-560 C 3 b (1) (c)	9VAC25-32-560 C 3 b (1) (b)	Biosolids application vehicles.	Subdivision renumbered due to deletion of subdivision number. Text revised to clarify requirements.
9VAC25-32-560 C 3 b (1) (d)	9VAC25-32-560 C 3 b (1) (c)	Application scheduling.	Subdivision renumbered to account for section reorganization and text reworded to clarify that these items are to be addressed in the OMP.
9VAC25-32-560 C 3 b (1) (e)	9VAC25-32-560 C 3 b (1) (d)		Subdivision renumbered to account for section reorganization.
9VAC25-32-560 C 3 b (2)		Forestland (Silviculture) – Buffer zones. Buffer zones should conform to those for agricultural utilization.	Change “should” to “shall” to clarify the requirements. Buffer zones shall conform to those for agricultural utilization.
9VAC25-32-560 C 3 b (2)		Forestland (Silviculture) – Buffer zones.	Add text to clarify requirements and location of Table 2" "of this section".
9VAC25-32-560 D		Reclamation of disturbed land.	Text deleted. Statements narrative in nature to be included in guidance. Substantive requirements moved to subdivision D 3 a.
9VAC25-32-560 D 1		Sludge standards.	Correct terminology: Biosolids standards.
9VAC25-32-560 D 2		Site suitability	Revise to clarify requirements. Refer to requirement contained in subdivision B 2
9VAC25-32-560 D 3 a		Management practices - application rates.	Text revised to add substantive statement originally part of 9VAC25-32-560 D. Terms revised for consistency. DCR added due to NMP requirements. Add statement clarifying that for reclamation of disturbed land that the nutrient management plan shall be approved by the Department of Conservation and Recreation prior to permit issuance.
9VAC25-32-560 D 3 b		Vegetation selection.	Term "should" replaced with "shall" to clarify the requirements and narrative

			statement removed to be included in guidance.
9VAC25-32-560 D 3 c (1)		Reclamation of disturbed land – operations.	Change table reference from “Table 8” to “9VAC25-32-356 Table 2” and add section reference to clarify requirements.
9VAC25-32-560 D 3 c (2)		Turning of surface materials.	Term "should" replaced with "shall" to clarify requirements and narrative statement removed to be included in guidance.
9VAC25-32-560 D 3 c (3)		Unless the applied biosolids are determined to be Class A...	Revise text to delete ambiguous testing requirements.
9VAC25-32-570 A		Distribution or marketing provides for the sale or distribution of exceptional quality biosolids or mixtures of Class I treated biosolids with other materials such that the mixture achieves the Class A pathogen control standard.	Revised to specify that any product derived from biosolids must meet the same standards as the biosolids. "Distribution or marketing provides for the sale or distribution of exceptional quality biosolids or mixtures of exceptional quality biosolids with other materials such that the mixture achieves the Class A pathogen control, vector attraction reduction and pollutant control standards."
9VAC25-32-570 A.			Revise to delete statement regarding "inert materials shall not contain pathogens or attract vectors". This is suitable for guidance.
9VAC25-32-570 A		Use of such mixtures for agricultural purposes should be evaluated through proper testing or research programs designed to access the suitability...	Replace "should" with "shall" to reflect the mandatory nature of the requirements. Correct grammatical/spelling error: Replace the word "access" with the word "assess". "Use of such mixtures for agricultural purposes shall be evaluated through proper testing or research programs designed to assess the suitability..."
9VAC25-32-570 A		Exceptional quality biosolids marketed as fertilizers or soil conditioners must be registered with the Virginia Department of Agriculture and Consumer Services. The permit applicant shall obtain such registration...	Revise statement and separate requirement into a new subsection: "Exceptional quality biosolids marketed as fertilizers or soil conditioners must meet the following conditions:"
	9VAC25-32-570 A 1		Add requirement for biosolids product to be registered with the Virginia Department of Agriculture and Consumer Services.
9VAC25-32-570 A 1	9VAC25-32-570 A 2	Because of the high potential for public contact...and other quality standards (Table 8) as required for the intended use.	Renumber section and revise to clarify requirements: "The biosolids product must be processed to meet Class A pathogen requirements as specified in 9VAC25-32-675 A.

	9VAC25-32-570 A 3		Add specific condition for exceptional biosolids related to vector attraction reduction.
	9VAC25-32-570 A 4		Add specific condition for exceptional biosolids related to ceiling concentrations.
	9VAC25-32-570 A 5		Add specific condition for exceptional biosolids related to pollutant concentrations.
	9VAC25-32-570 A 6		Add specific condition for exceptional biosolids related to addressing additional parameters.
	9VAC25-32-570 A 6		Add Table 1 entitled "Organic chemical testing may be required to identify an exceptional quality biosolids".
9VAC25-32-570 A 2	9VAC25-32-570 B		Revise numbering and add subsection heading to clarify requirements: "Bulk distribution".
9VAC25-32-570 A 2		For the purposes of this regulation, a bulk use quantity of biosolids will be defined as a volume...	Delete statement, no longer necessary.
9VAC25-32-570 A 2	9VAC25-32-570 B		Add language to clarify requirements: "The following requirements shall apply to distribution and marketing of biosolids products:"
9VAC25-32-570 A 2		"Application of bulk use quantities of exceptional quality biosolids...used as soil amendments for horticulture and landscaping purposes such as:"	Delete language - requirements clarified in following subdivisions.
9VAC25-32-570 A 2 a		Use in potting soil mixtures;	Delete language - requirements clarified in following subdivisions.
9VAC25-32-570 A 2 b		Use for seed beds...	Delete language - requirements clarified in following subdivisions.
	9VAC25-32-570 B 1		Add requirement to maintain records. Indicates that records required under the registration with VDACS shall be made available to the department upon request.
	9VAC25-32-570 B 2		Add requirement for land application in accordance with a nutrient management plan. Adds requirement for NMP development and application according to the NMP for biosolids that have not been dried or blended with other materials.
	9VAC25-32-570 B 2 a		Add exception to nutrient management plan requirement.
	9VAC25-32-570 B 2 b		Add exception to nutrient management plan requirement.
	9VAC25-32-570 B 3		Add requirement for providing a copy of the plan. Adds requirement to submit

			NMP to the department, the farmer operator and DCR.
9VAC25-32-570 A 3	9VAC25-32-570 C		Add subsection header addressing "Approval of biosolids sources" to clarify requirements.
9VAC25-32-570 A 3	9VAC25-32-570 C	Only exceptional quality biosolids produced from an approved sludge processing facility can be distributed and marketed.	Grammatical correction. Revise: "Only exceptional quality biosolids produced from a sludge processing facility approved by the board can be distributed and marketed."
9VAC25-32-570 A 3		Biosolids sold for use as soil amendments or fertilizers...the methods described in this article.	Delete statement. Addressed in other sections of regulations.
9VAC25-32-570 B		Permits.	Delete subsection. Addressed in other sections of regulations.
9VAC25-32-570 C	9VAC25-32-570 D	Information furnished to all users.	Subsection renumbered to reflect previous section renumbering.
9VAC25-32-570 C		Biosolids distributed for public use...proper labeling on bagged material.	Statement deleted.
9VAC25-32-570 C	9VAC25-32-570 D	Labeling requirements should be addressed in a management plan or in the operation and maintenance manual for the processing facility.	Requirement reworded for clarity. "Labeling requirements shall be addressed in an operations management plan."
9VAC25-32-570 C	9VAC25-32-570 D		Add labeling requirement.
	9VAC25-32-570 D 1		Add information requirements for label.
	9VAC25-32-570 D 2		Add information requirements for label.
	9VAC25-32-570 D 3		Add information requirements for label. This requirement is taken from the VPDES regulation and represents the EPA 503 requirements.
	9VAC25-32-570 D 4		Add information requirements for label. This requirement includes any other information required by VDACS fertilizer regulations.
9VAC25-32-570 C		Information provided to users of marketed or distributed biosolids should note the following: (i) ... (v)...number.	Delete statement and information requirements: Labeling requirements modified to conform with EPA 503 and VDACS regulations and are included in new section 9VAC25-32-570 D.
9VAC25-32-570 D		Distribution information...as a minimum: 1....biosolids distributor...to circumvent the foregoing requirements.	Delete requirements. Distribution information will be included in VDACS recordkeeping requirements and, if applicable, in a nutrient management plan.
9VAC25-32-570 E		Other uses...provided for by this regulation.	Delete requirement. Other products will be handled under existing VPA criteria.

	9VAC25-32-570 E		Add section to address recordkeeping requirements.
	9VAC25-32-570 E 1		Add requirement for person who prepares exceptional quality biosolids.
	9VAC25-32-570 E 1 a		Add specific requirement related to concentration of each pollutant.
	9VAC25-32-570 E 1 b		Add specific requirement for a certification statement.
	9VAC25-32-570 E 1 c		Add specific requirement related to Class A pathogen requirements.
	9VAC25-32-570 E 1 d		Add a specific requirement related to vector attraction reduction requirements.
	9VAC25-32-570 E 2		Add requirement for person who derives the material that meets the criteria of exceptional quality biosolids.
	9VAC25-32-570 E 2 a		Add specific requirement related to concentration of each pollutant.
	9VAC25-32-570 E 2 b		Add specific requirement for a certification statement.
	9VAC25-32-570 E 2 c		Add specific requirement related to Class A pathogen requirements.
	9VAC25-32-570 E 2 d		Add a specific requirement related to vector attraction reduction requirements.
	9VAC25-32-570 E 3		Add requirements related to person who prepares the biosolids that is sold or given away in a bag or other container.
	9VAC25-32-570 E 3 a		Add specific requirement related to the annual whole sludge application rate.
	9VAC25-32-570 E 3 b		Add specific requirement related to concentration of each pollutant.
	9VAC25-32-570 E 3 c		Add specific requirement for a certification statement.
	9VAC25-32-570 E 3 d		Add specific requirement related to Class A pathogen requirements.
	9VAC25-32-570 E 3 e		Add a specific requirement related to vector attraction reduction requirements.
	9VAC25-32-570 F		Add requirement for an annual report. Annual report requirement added to supplement VDACS and NMP information.
	9VAC25-32-570 F 1		Add specific information requirement for the annual report.
	9VAC25-32-570 F 2		Add specific information requirement for the annual report.
	9VAC25-32-570 F 3		Add specific information requirement for the annual report.
9VAC25-32-580		Sludge disposal – dedicated sites.	Delete reference to “Table A-1 and replace with reference to a “Sludge Disposal Site Dedication Form”.
9VAC25-32-590		Standards for agricultural use.	Repeal section. Not necessary.
9VAC25-32-600		Biosolids characteristics; nutrients; trace elements; organic chemicals.	Repeal section. Requirements already addressed in other sections of the regulations.
9VAC25-32-		Biosolids treatment.	Repeal section: These requirements

610			moved to section 9VAC25-32-675 and 9VAC25-32-685 and replaced with VPDES language.
9VAC25-32-620		Site access time restrictions.	Repeal section. Requirements moved to 9VAC25-32-675 B 5.
9VAC25-32-630		Biosolids management for nitrogen loading.	Repeal section. Requirements already addressed in other sections of the regulations and in the NMP requirements.
9VAC25-32-640		Maximum application rates for trace elements.	Repeal section. Requirements addressed in other sections of the regulations.
9VAC25-32-650		Maximum application rates for high lime biosolids.	Repeal section. Requirements addressed in 9VAC25-32-560 B 3 b.
9VAC25-32-660		Maximum application rates for biosolids.	Repeal section. These requirements are already addressed in the NMP.
	9VAC25-32-665		Add new article header: Article 4 Pathogen and Vector Attraction Reduction
	9VAC25-32-665		Add new section to address the scope of the pathogen and vector attraction reduction requirements.
	9VAC25-32-665 A		Add text to specify components included in the article.
	9VAC25-32-665 B		Add text to specify components included in the article.
	9VAC25-32-665 C		Add text to specify components included in the article.
	9VAC25-32-665 D		Add text to specify components included in the article.
9VAC25-32-670.		Article 4 Permit Application Information for Biosolids Use	Article 4 Header deleted.
9VAC25-32-670.		Minimum information required for a management practices plan utilizing land application	Section repealed.
	9VAC25-32-675		Add new section to address the requirements related to Pathogens. This section contains text from the VPDES regulation.
	9VAC25-32-675 A		Add subsection regarding the pathogen requirements for biosolids - Class A
	9VAC25-32-675 A 1		Add language regarding requirements to be met to be classified as Class A biosolids with respect to pathogens.
	9VAC25-32-675 A 2		Add language regarding the Class A pathogen requirements.
	9VAC25-32-675 A 3		Add subdivision regarding Class A - Alternative 1.
	9VAC25-32-675 A 3 a		Add language specifying requirements regarding density of fecal coliform in biosolids.

	9VAC25-32-675 A 3 b		Add language specifying requirements regarding the temperature of biosolids.
	9VAC25-32-675 A 3 b (1)		Add language detailing temperature requirements.
	9VAC25-32-675 A 3 b (1)		Add Equation (1) regarding the determination of the required temperature and time period under certain conditions.
	9VAC25-32-675 A 3 b (2)		Add language detailing temperature requirements.
	9VAC25-32-675 A 3 b (3)		Add language detailing temperature requirements.
	9VAC25-32-675 A 3 b (4)		Add language detailing temperature requirements.
	9VAC25-32-675 A 3 b (4)		Add Equation (2) regarding the determination of the required temperature and time period under certain conditions.
	9VAC25-32-675 A 4		Add subdivision regarding Class A - Alternative 2.
	9VAC25-32-675 A 4 a		Add language specifying requirements regarding density of fecal coliform in biosolids.
	9VAC25-32-675 A 4 b		Add language specifying pH requirements for biosolids.
	9VAC25-32-675 A 4 b (1)		Add language detailing temperature requirements.
	9VAC25-32-675 A 4 b (2)		Add language detailing temperature requirements.
	9VAC25-32-675 A 5		Add subdivision regarding Class A - Alternative 3.
	9VAC25-32-675 A 5 a		Add language specifying requirements regarding density of fecal coliform in biosolids.
	9VAC25-32-675 A 5 b		Add language regarding enteric viruses.
	9VAC25-32-675 A 5 b (1)		Add language specifying requirements related to the density of enteric viruses prior to pathogen treatment.
	9VAC25-32-675 A 5 b (2)		Add language specifying requirements related to the density of enteric viruses prior to pathogen treatment.
	9VAC25-32-675 A 5 b (3)		Add language addressing the reduction of enteric viruses.
	9VAC25-32-675 A 5 c		Add language regarding the analysis for viable helminth ova.
	9VAC25-32-675 A 5 c (1)		Add language regarding the density of viable helminth ova prior to pathogen treatment.
	9VAC25-32-675 A 5 c (2)		Add language regarding the density of viable helminth ova prior to pathogen treatment.
	9VAC25-32-675 A 5 c (3)		Add language regarding the reduction of viable helminth ova.
	9VAC25-32-		Add subdivision regarding Class A -

	675 A 6		Alternative 4.
	9VAC25-32-675 A 6 a		Add language specifying requirements regarding density of fecal coliform in biosolids.
	9VAC25-32-675 A 6 b		Add language regarding the density of enteric viruses at the time the biosolids is used or disposed.
	9VAC25-32-675 A 6 c		Add language regarding the density of viable helminth ova at the time the biosolids is used or disposed.
	9VAC25-32-675 A 7		Add section addressing the requirements for Class A - Alternative 5.
	9VAC25-32-675 A 7 a		Add language specifying requirements regarding density of fecal coliform in biosolids.
	9VAC25-32-675 A 7 b		Add language regarding the further treatment of biosolids to reduce pathogens.
	9VAC25-32-675 A 8		Add subdivision addressing the requirements of Class A - Alternative 6.
	9VAC25-32-675 A 8 a		Add language specifying requirements regarding density of fecal coliform in biosolids.
	9VAC25-32-675 A 8 b		Add language regarding the further treatment of biosolids to reduce pathogens.
	9VAC25-32-675 B		Add subsection addressing the requirements for Biosolids - Class B.
	9VAC25-32-675 B 1		Add language specifying minimum requirements for Class B biosolids.
	9VAC25-32-675 B 1 a		Add language specifying minimum requirements for Class B biosolids.
	9VAC25-32-675 B 1 b		Add language specifying site restrictions for Class B biosolids.
	9VAC25-32-675 B 2		Add language specifying Class B - Alternative 1 requirements.
	9VAC25-32-675 B 2 a		Add specific requirements for Class B - Alternative 1.
	9VAC25-32-675 B 2 b		Add specific requirements for Class B - Alternative 1.
	9VAC25-32-675 B 3		Add language specifying Class B - Alternative 2 requirements.
	9VAC25-32-675 B 4		Add language specifying Class B - Alternative 3 requirements.
	9VAC25-32-675 B 5		Add subsection addressing site restrictions for Biosolids - Class B.
	9VAC25-32-675 B 5 a		Add language specifying site restrictions requirements.
	9VAC25-32-675 B 5 b		Add language specifying site restrictions requirements.
	9VAC25-32-675 B 5 c		Add language specifying site restrictions requirements.
	9VAC25-32-675 B 5 d		Add language specifying site restrictions requirements.
	9VAC25-32-		Add language specifying site restrictions



	675 B 5 e		requirements.
	9VAC25-32-675 B 5 f		Add language specifying site restrictions requirements.
	9VAC25-32-675 B 5 g		Add language specifying site restrictions requirements.
	9VAC25-32-675 B 6 h		Add language specifying site restrictions requirements.
	9VAC25-32-675 B 5 i		Add language specifying site restrictions requirements.
	9VAC25-32-675 B 5 i		Add Table 1 regarding time restrictions following completion of biosolids application associated with Class B pathogen reduction.
	9VAC25-32-675 C		Add subsection addressing the requirements for domestic septage.
	9VAC25-32-675 C 1		Add language specifying site restrictions for domestic septage.
	9VAC25-32-675 C 2		Add language specifying pH requirements for domestic septage.
	9VAC25-32-675 D		Add subsection addressing processes to significantly reduce pathogens.
	9VAC25-32-675 D 1		Add language regarding requirements for aerobic digestion.
	9VAC25-32-675 D 2		Add language regarding requirements for air drying.
	9VAC25-32-675 D 3		Add language regarding requirements for anaerobic digestion.
	9VAC25-32-675 D 4		Add language regarding requirements for composting.
	9VAC25-32-675 D 5		Add language regarding requirements for lime stabilization.
	9VAC25-32-675 E		Add subsection addressing processes to further reduce pathogens.
	9VAC25-32-675 E 1		Add language regarding requirements for composting.
	9VAC25-32-675 E 2		Add language regarding requirements for heat drying.
	9VAC25-32-675 E 3		Add language regarding requirements for heat treatment.
	9VAC25-32-675 E 4		Add language regarding requirements for Thermophilic aerobic digestion.
	9VAC25-32-675 E 5		Add language regarding requirements for beta ray irradiation.
	9VAC25-32-675 E 6		Add language regarding requirements for gamma ray irradiation.
	9VAC25-32-675 E 7		Add language regarding requirements for pasteurization.
9VAC25-32-680		Minimum site specific information required for a management practices plan	Repeal section.
	9VAC25-32-685		Add new section to address the requirements for vector attraction reduction. Language from VPDES for consistency between regulations.

	9VAC25-32-685 A		Add subsection addressing conditions under which vector attraction reductions are required.
	9VAC25-32-685 A 1		Add conditions under which vector attraction reductions are required.
	9VAC25-32-685 A 2		Add conditions under which vector attraction reductions are required.
	9VAC25-32-685 A 3		Add conditions under which vector attraction reductions are required.
	9VAC25-32-685 A 4		Add conditions under which vector attraction reductions are required.
	9VAC25-32-685 A 5		Add conditions under which vector attraction reductions are required.
	9VAC25-32-685 A 6		Add conditions under which vector attraction reductions are required.
	9VAC25-32-685 B		Add subsection addressing vector attraction reduction requirements.
	9VAC25-32-685 B 1		Add specific vector attraction reduction requirement.
	9VAC25-32-685 B 2		Add specific vector attraction reduction requirement.
	9VAC25-32-685 B 3		Add specific vector attraction reduction requirement.
	9VAC25-32-685 B 4		Add specific vector attraction reduction requirement.
	9VAC25-32-685 B 5		Add specific vector attraction reduction requirement.
	9VAC25-32-685 B 6		Add specific vector attraction reduction requirement.
	9VAC25-32-685 B 7		Add specific vector attraction reduction requirement.
	9VAC25-32-685 B 8		Add specific vector attraction reduction requirement.
	9VAC25-32-685 B 9		Add specific vector attraction reduction requirement.
	9VAC25-32-685 B 9 a		Add specific vector attraction reduction requirement.
	9VAC25-32-685 B 9 b		Add specific vector attraction reduction requirement.
	9VAC25-32-685 B 10		Add specific vector attraction reduction requirement.
	9VAC25-32-685 B 10 a		Add specific vector attraction reduction requirement.
	9VAC25-32-685 B 10 b		Add specific vector attraction reduction requirement.
	9VAC25-32-685 B 11		Add specific vector attraction reduction requirement.
	9VAC25-32-685 B 12		Add specific vector attraction reduction requirement.
9VAC25-32-690 A		Certificate requirements for land applicators.	Correct section reference. Change section reference from 9VAC25-32-440 B to 9VAC25-32-360 A.
9VAC25-32-700.C	9VAC25-32-700.D		Insert a subsection header number designation for additional material on "individuals certified as land application

			operators in other states” that was included in section C to clarify requirements.
9VAC25-32-760.B.3		Failing to ensure that land application of biosolids complies with permit requirements in accordance with 9VAC25-32-480 through 9VAC25-32-500 due to negligence of responsibilities by the certified land applicator;	Revise - References incorrect and not needed in this section: Failing to ensure that land application of biosolids complies with permit requirements due to negligence of responsibilities by the certified land applicator;
	9VAC25-32-770		Insert new Article 6 to address Liability requirements for Transport, Storage and Land Application of Biosolids.
	9VAC25-32-770		Add definitions related to liability insurance and financial tests liability coverage to clarify requirements.
	9VAC25-32-780		Add new section to address liability requirements.
	9VAC25-32-780 A		Add to demonstrate that a permit holder or applicant must demonstrate financial responsibility for clean-u costs, personal injury, bodily injury and property damage resulting from the transport, storage and land application of biosolids in Virginia. Sets a \$2 million amount per occurrence for liability coverage with a \$2 million annual aggregate.
	9VAC25-32-780 B		Add to identify those mechanisms that may be used to demonstrate the required liability coverage.
	9VAC25-32-780 B 1		Add to clarify mechanisms required to demonstrate the required liability coverage.
	9VAC25-32-780 B 2		Add to clarify mechanisms required to demonstrate the required liability coverage.
	9VAC25-32-780 B 3		Add to clarify mechanisms required to demonstrate the required liability coverage.
	9VAC25-32-780 B 4		Add to clarify mechanisms required to demonstrate the required liability coverage.
	9VAC25-32-780 B 5		Add to clarify mechanisms required to demonstrate the required liability coverage.
	9VAC25-32-780 C		Add to identify when notification of the department is required.
	9VAC25-32-780 C 1		Add to clarify when notification is required.
	9VAC25-32-780 C 2		Add to clarify when notification is required.
	9VAC25-32-780 C 3		Add to clarify when notification is required.

	9VAC25-32-790		Add to address requirements for liability insurance.
	9VAC25-32-790 A		Add to clarify the requirements for inclusion of a Biosolids Liability Endorsement or a Certificate of Liability Insurance.
	9VAC25-32-790 B		Add to clarify requirements for the insurer of each insurance policy used for liability insurance.
	9VAC25-32-800		Add new section to clarify the requirements for a corporate financial test.
	9VAC25-32-800 A		Add to establish that financial responsibility can be demonstrated by passing a corporate financial test.
	9VAC25-32-800 B		Add to identify the criteria that must be met to use the corporate financial test to satisfy the financial responsibility requirements.
	9VAC25-32-800 B 1		Add to clarify requirements for a permit holder or applicant to use the corporate financial test.
	9VAC25-32-800 B 2		Add to clarify requirements for a permit holder or applicant to use the corporate financial test.
	9VAC25-32-800 B 2 a		Add to clarify asset requirements.
	9VAC25-32-800 B 2 b		Add to clarify asset requirements.
	9VAC25-32-800 B 3		Add to clarify requirements for a permit holder or applicant to use the corporate financial test.
	9VAC25-32-800 C		Add to identify those items that must be submitted to demonstrate that the permit holder or applicant passes the corporate financial test.
	9VAC25-32-800 C 1		Add to specify items that must be submitted to the department to demonstrate that the permit holder or applicant passes the corporate financial test.
	9VAC25-32-800 C 2		Add to specify items that must be submitted to the department to demonstrate that the permit holder or applicant passes the corporate financial test.
	9VAC25-32-800 C 3		Add to specify items that must be submitted to the department to demonstrate that the permit holder or applicant passes the corporate financial test.
	9VAC25-32-800 D		Add to identify the submittal requirements for a new permit holder or applicant.
	9VAC25-32-		Add to clarify the continuing reporting

	800 E		requirements to satisfy the requirements for use of the corporate financial test.
	9VAC25-32-800 F		Add to spell out the requirements if the permit holder or applicant no longer meets the requirements for use of the corporate financial test.
	9VAC25-32-800 G		Add to clarify when the department may disallow use of the corporate financial test.
	9VAC25-32-810		Add new section to clarify the requirements for use of a corporate guarantee.
	9VAC25-32-810 A		Add to establish that financial responsibility can be demonstrated by obtaining a corporate guarantee.
	9VAC25-32-810 B		Add to identify requirements should the permit holder or applicant fails to satisfy a judgment or fails to pay a settlement.
	9VAC25-32-810 C		Add to establish a cancellation process for the corporate guarantee.
	9VAC25-32-810 D		Add to establish the requirements for obtaining alternate financial assurance if a guarantee is cancelled.
	9VAC25-32-810 E		Add to establish the recordkeeping and reporting requirements for use of a corporate guarantee.
	9VAC25-32-810 E 1		Add to specify recordkeeping and reporting requirements.
	9VAC25-32-810 E 2		Add to specify when the permit holder or applicant is no longer required to maintain recordkeeping and reporting requirements of 9VAC25-32-800 C.
	9VAC25-32-810 E 2 a		Add to provide an option for substitution of alternate financial assurance.
	9VAC25-32-810 E 2 b		Add to provide for the release from the requirements of this section.
	9VAC25-32-810 F		Add to establish the requirements for obtaining alternate financial assurance if a guarantor no longer meets the requirements for a corporate guarantee.
	9VAC25-32-820		Add new section to establish the requirements for use of the local government financial test.
	9VAC25-32-820 A		Add to establish that financial responsibility can be demonstrated by passing a local government financial test.
	9VAC25-32-820 B		Add to establish the requirements for use of a local government financial test to satisfy the financial assurance requirements.
	9VAC25-32-820 B 1		Add to specify how the permit holder or applicant shall satisfy the provisions of this section.

	9VAC25-32-820 B 2		Add to specify how the permit holder or applicant shall satisfy the provisions of this section.
	9VAC25-32-820 B 2 a		Add to identify financial ratio requirements.
	9VAC25-32-820 B 2 b		Add to identify financial ration requirements.
	9VAC25-32-820 C		Add to establish requirements for financial statements.
	9VAC25-32-820 D		Add to identify those conditions under which a permit holder or applicant is not eligible to use the local government financial test.
	9VAC25-32-820 D 1		Add to specify conditions under which a permit holder or applicant is not eligible to assure its obligations under this section.
	9VAC25-32-820 D 2		Add to specify conditions under which a permit holder or applicant is not eligible to assure its obligations under this section.
	9VAC25-32-820 D 3		Add to specify conditions under which a permit holder or applicant is not eligible to assure its obligations under this section.
	9VAC25-32-820 D 4		Add to specify conditions under which a permit holder or applicant is not eligible to assure its obligations under this section.
	9VAC25-32-820 E		Add to establish information submission requirements for use of the local government financial test.
	9VAC25-32-820 E 1		Add to specify information submission requirements.
	9VAC25-32-820 E 2		Add to specify information submission requirements.
	9VAC25-32-820 E 3		Add to specify information submission requirements.
	9VAC25-32-820 E 4		Add to specify information submission requirements.
	9VAC25-32-830		Add new section to establish the requirements for use of a local government guarantee.
	9VAC25-32-830 A		Add to establish that a local government who is also the permit holder or applicant may use a local government guarantee to satisfy the financial assurance requirements.
	9VAC25-32-		Add to establish the terms for a written

	830 B		local government guarantee.
	9VAC25-32-830 B 1		Add to specify the terms of the written guarantee.
	9VAC25-32-830 B 2		Add to specify the terms of the written guarantee.
	9VAC25-32-830 B 2 a		Add to specify the terms of the written guarantee.
	9VAC25-32-830 B 2 b		Add to specify the terms of the written guarantee.
	9VAC25-32-830 B 2 c		Add to specify the terms of the written guarantee.
	9VAC25-32-830 C		Add to establish the recordkeeping and reporting requirements for use of a local government guarantee.
	9VAC25-32-830 C 1		Add to specify recordkeeping and reporting requirements.
	9VAC25-32-830 C 2		Add to specify recordkeeping and reporting requirements.
	9VAC25-32-830 C 2 a		Add to specify recordkeeping and reporting requirements.
	9VAC25-32-830 C 2 b		Add to specify recordkeeping and reporting requirements.
	9VAC25-32-830 D		Add to establish a requirement for alternate financial assurance if a local government guarantor no longer meets the requirements for use of a local government guarantee.
	9VAC25-32-840		Add new section to establish that financial responsibility can be demonstrated by obtaining a letter of credit.
	9VAC25-32-840 A		Add to establish that a letter of credit may be used to satisfy the requirements for demonstration of financial responsibility.
	9VAC25-32-840 B		Add to establish the terms for a letter of credit.
	9VAC25-32-840 B 1		Add to specify the terms for the letter of credit.
	9VAC25-32-840 B 2		Add to specify the terms for the letter of credit.
	9VAC25-32-840 B 3		Add to specify the terms for the letter of credit.
	9VAC25-32-840 B 4		Add to specify the terms for the letter of credit.
	9VAC25-32-840 C		Add to establish a process in the event that the permit holder or applicant fails to comply with requirements of this section.
	9VAC25-32-840 D		Add to establish a process for cancellation of the letter of credit.
	9VAC25-32-840 E		Add to establish a process for the department to return the letter of credit.
	9VAC25-32-840 E 1		Add to specify conditions for return of the letter of credit.

	9VAC25-32-840 E 2		Add to specify conditions for return of the letter of credit.
	9VAC25-32-840 F		Add to establish a requirement for the establishment of a standby trust fund for use with the letter of credit.
	9VAC25-32-840 G		Add to establish a process for payments made under the terms of the letter of credit to be deposited in the trust fund and a process for payments from the trust fund.
	9VAC25-32-840 H		Add to establish a process for cashing of the letter of credit.
	9VAC25-32-840 I		Add to specify the wording of the letter of credit.
	9VAC25-32-850		Add new section to establish that financial responsibility can be demonstrated by establishment of a trust fund.
	9VAC25-32-850 A		Add to establish that a trust fund may be used to satisfy the requirements for demonstration of financial responsibility.
	9VAC25-32-850 B		Add to establish trust fund requirements.
	9VAC25-32-850 B 1		Add to specify trust fund requirements.
	9VAC25-32-850 B 2		Add to specify trust fund requirements.
	9VAC25-32-850 B 3		Add to specify trust fund requirements.
	9VAC25-32-850 B 4		Add to specify trust fund requirements.
FORMS		Forms	Delete reference to Form: Application for a Biosolids Use Permit, 2007: No longer applicable.
FORMS		Forms	Biosolids Liability Endorsement Form
FORMS		Forms	Certificate of Liability Insurance Form
FORMS		Forms	Corporate Guarantee Form
FORMS		Forms	Letter of Credit Form
FORMS		Forms	Sludge Disposal Site Dedication Form now included as a form instead of a table in the text to help clarify requirements.
FORMS		Forms	Trust Fund Form

Enter any other statement here