
Biosolids Rule Changes Chapter 62-640, F.A.C.

Florida Department of Environmental Protection

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Florida Residuals Regulations

- Chapter 17-7, F.A.C.
 - » Effective 1984
- Chapter 62-640, F.A.C.
 - » Originally Ch. 17-640, F.A.C., effective 1991
 - » Revised 1998, currently under revision
 - » Based on Title 40 CFR Part 503, has some additional/different requirements (not delegated Part 503)

Florida Classes of Biosolids

- About 24-26 facilities producing Class AA
 - » Larger facilities, various processes, bulk to farmers or fertilizer blenders, increasing
- Very little Class A (metals usually low)
- Primarily Class B
 - » predominant treatment options include lime stabilization, aerobic digestion
 - » commonly surface applied year-round to hay crops or pastures (cake or liquid)
 - » Contract haulers/appliers and multi-user sites are common

Why Rulemaking?

- Continuing and heightened public interest
- Continuing and heightened county interest
- Public confidence in beneficial use
- **Nutrient concerns**
- Clarification of current rules

Rule Workshops

- Three initial workshops held on Chapter 62-640, F.A.C., in 2002/2003
- Attended by:
 - » Utility representatives/biosolids companies
 - » Citizens and County representatives from areas with land application

Residuals TAC/Update

- Consisted of 13 members
 - » Citizen, DEP District Offices, Florida Natural Resources Conservation Service (NRCS), Univ. of Florida Institute of Food and Agricultural Sciences (IFAS), Florida Water Environment Association (FWEA), Florida Engineering Society (FES), Dept. of Health (DOH), Dept of Agriculture and Consumer Services (DACCS), Florida Recycle Today, FL Assoc. of Counties, FL League of Cities, Florida Water and Pollution Control Operators Association (FWPCOA), FL Cattlemen's Assoc.
- Five TAC meetings were held

Draft Revisions

Chapter 62-640, F.A.C.

March 2008

Title

- Replaced “domestic wastewater residuals” with the term “biosolids”

Rule 62-640.300, F.A.C. General Requirements

- Added the requirement for a biosolids site permit
- Removed - partial transfer of responsibility when there is a written agreement between the facility and applier
- Added - site permittee shall share responsibility with facility permittee

Rule 62-640.300, F.A.C. General Requirements

- Revised the biosolids storage provision
 - » Treatment facility permittee shall submit a biosolids storage plan with the facility permit application
 - » The permittee shall ensure storage capacity is available when use or disposal is precluded; minimum 14 day storage capacity
- Added - treatment facility permittee shall submit a “Spill Response Plan” with the facility permit application
- Added - treatment facility permittee shall submit Toxicity Characteristic Leaching Procedure (TCLP) analysis results with permit renewal applications

Rule 62-640.500, F.A.C. Nutrient Management Plan (NMP)

- Replaced the old Agricultural Use Plan with the Nutrient Management Plan (submitted with site permit application)
- Added the requirement for the NMP to be developed in accordance with Florida NRCS standards
- Application rates shall be established in accordance with NRCS standards, or other methods such as soil phosphorous levels or the University of Florida's Institute of Food and Agricultural Sciences recommendations, to appropriately balance the nutrient needs of crops and potential adverse water quality effects
- Added the requirement that the NMP be prepared by a person certified by the NRCS for nutrient management planning or by a P.E. licensed in Florida with expertise in nutrient management planning

Rule 62-640.500, F.A.C. Nutrient Management Plan (NMP)

- Incorporated the new biosolids provisions from Section 373.4595, F.S., Northern Everglades and Estuary Protection Program, passed by the Legislature in 2007 (SB 392)
- Section 373.4595, F.S., applies the Lake Okeechobee watershed (includes the Kissimmee River watershed), St. Lucie River watershed, and Caloosahatchee River watershed

Rule 62-640.650, F.A.C.

Monitoring, Record Keeping, and Reporting

- Added - Soil monitoring
 - » Annual soil fertility monitoring
 - » Initial soil background monitoring for regulated metals
- Added - provisions for ground water monitoring
 - » Monitoring if applying over 400 lbs per acre of nitrogen
 - » Monitoring if site is out-of-compliance
 - » Ground water monitoring plan
 - » Representative wells, quarterly monitoring
- Added - surface water monitoring
 - » if application is within 1000 ft of water body
 - » 500 feet upstream, 500 feet downstream; quarterly

Rule 62-640.650, F.A.C.

Monitoring, Record Keeping, and Reporting

- Added a requirement for a Biosolids Application Site Annual Summary
 - » Reports the total quantities of biosolids, nutrients, metals, etc., applied to each application zone
 - » Reports the cumulative loadings of regulated metals to each application zones
 - » Reports the results of any required ground water, surface water, and soil monitoring results
 - » Includes revisions to NMP
 - » The site permittee shall send a copy to each facility that sent biosolids to the site

Rule 62-640.700, F.A.C.

Criteria for Land Application of Class AA, A, and B Biosolids

- Added a requirement to inject or incorporate alkaline-treated biosolids if applied within one-quarter mile of property line
- Added a requirement to land apply alkaline-treated biosolids within 24 hours after leaving the treatment facility
- Revised time limit for field storage to seven days (storing, stockpiling, staging) unless stored in a constructed storage facility – incorporated EPA Guide to Field Storage

Rule 62-640.700, F.A.C.

Criteria for Land Application of Class AA, A, and B Biosolids

- Setback distances
 - » Established a setback of 1320 feet for biosolids storage, stockpiling, or staging from a building occupied by the general public
 - » Increased the setback for application from a building occupied by the general public from 300 feet to 500 feet
 - » Established a setback of 75 feet from property lines for biosolids application
- Revised the 2 foot depth of unsaturated soil at time of application to apply from the depth of biosolids placement
- Removed the option to dig a three foot hole to check ground water level, (require piezometer/well)
- Changed the slope before requiring a conservation plan or incorporation/injection to three percent from two percent

Rule 62-640.700, F.A.C.

Criteria for Land Application of Class AA, A, and B Biosolids

- Revised - shall not apply when raining or when ponding exists
- Added a restriction against applying on frequently flooded sites (NRCS standards, soil surveys)
- Added the Class B restrictions from the old Section .600
- Revised - now prohibit plant nursery use of Class B
- Added a requirement for site permittees to report animals involved in grazing violations to DACS within two weeks or prior to sale of animal/product from animal
- Added the requirement for an existing land owner to disclose any restrictions applicable to the site to the new owner If ownership of site changes,







STOCKPIILING OF 10 LOADS OF RESIDUALS
AT
RANCH 50 FEET FROM
ROAD

02/06/2001