



## Ohio Administrative Code

### Rule 3745-40-03 NPDES permit requirements and biosolids management plan requirements.

Effective: March 1, 2026

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[Comment: For dates of non-regulatory government publications, publications of recognized organizations and associations, federal rules and federal statutory provisions referenced in this rule, see rule 3745-40-01 of the Administrative Code.]

#### (A) NPDES permit and biosolids management permit requirements.

(1) The treatment, storage, transfer, or disposal of sewage sludge or biosolids and beneficial use of biosolids shall be in compliance with this chapter and, as applicable, the conditions of an NPDES permit or a biosolids management permit.

(2) The director may require any person who is not a holder of a valid NPDES permit to obtain an NPDES permit or biosolids management permit prior to the beneficial use of biosolids.

(3) The expiration date for an NPDES permit or biosolids management permit will be no more than five years from the effective date.

(4) To protect public health or the environment, the director may specify in any NPDES permit or biosolids management permit any of the following:

(a) Requirements for the net volume, net weight, quality or pollutant concentration of the sewage sludge or biosolids.

(b) The manner or frequency of the treatment, storage, transfer or disposal of sewage sludge or biosolids.

(c) The manner or frequency of the beneficial use of the biosolids.

(d) Schedules of compliance.



(e) Conditions to do any of the following:

(i) Minimize the creation of nuisance odors.

(ii) Implement treatment, storage, transfer or disposal of the sewage sludge or biosolids.

(iii) Implement the beneficial use of biosolids.

(iv) Authorize the beneficial use of class B biosolids in specific counties at sites authorized in accordance with rule 3745-40-06 of the Administrative Code.

(v) File periodic reports on the amounts, composition and quality of the sewage sludge or biosolids.

(vi) Establish a procedure to approve feedstocks.

(vii) Establish an odor management plan that details the measures that will be implemented to minimize odor generation and prevent nuisance odors.

(viii) Develop standard operating procedures for any of the following that apply:

(a) How pathogen reduction is achieved.

(b) How vector attraction reduction is achieved.

(c) Beneficial use of biosolids at beneficial use sites with tile drainage.

(d) Use of draghose application systems at beneficial use sites.

(e) Use of mobile storage tanks at beneficial use sites.

(f) Any other requirement that the director or an authorized representative deems necessary for the protection of public health and the environment or to minimize the creation of odors and prevent



nuisance odors.

(f) Conditions that are more stringent than the requirements in this chapter because of site specific concerns or unique factors relevant to the treatment, storage, transfer or disposal of sewage sludge or biosolids, the beneficial use of biosolids, or the permittee's operation or maintenance of the disposal system or beneficial use.

(5) Biosolids management permit application.

(a) The biosolids management permit application shall include forms approved by the director and a detailed narrative that contains at a minimum, all of the following:

(i) A detailed description of the method or methods used for the treatment, storage, transfer, or disposal of sewage sludge or biosolids and, as applicable, the beneficial use of biosolids.

(ii) Information on how any site-specific management practices to prevent runoff will be maintained.

(iii) The intended beneficial use, including the documented rationale for the rate at which the biosolids will be beneficially used.

(iv) A list of counties in which biosolids will be beneficially used at sites authorized in accordance with rule 3745-40-06 of the Administrative Code.

(v) A list of feedstocks, if applicable.

(vi) A spill contingency plan that includes emergency contact information, types and locations of equipment that will be used to clean a spill, procedures for preventing discharges to waters of the state, and notification protocol.

(vii) An odor management plan that details the measures that will be implemented to minimize odor generation and prevent nuisance odors.



(b) An application for renewal of a biosolids management permit shall be submitted one hundred eighty days prior to the expiration date of the permit. If a complete renewal application is submitted one hundred eighty days prior to the expiration date of the biosolids management permit, the permittee may continue to operate under the current permit until a new biosolids management permit is approved or denied.

[Comment: A biosolids management permit application is submitted through Ohio EPA's eBusiness center and includes permit to install form A, permit to install form C1, antidegradation addendum, and any additional written information the director or an authorized representative deems necessary. These forms can be found on the Ohio environmental protection agency web site.]

(B) Special requirements for land reclamation sites. The beneficial use at a land reclamation site shall conform to both of the following:

(1) Be in accordance with an NPDES permit or approved biosolids management permit as described in paragraph (A) of this rule.

(2) For any land reclamation site that is under the jurisdiction of the Ohio department of natural resources, division of mineral resources management, have a land reclamation plan, approved by the Ohio department of natural resources, division of mineral resources management, where this approval is obtained by the applicant and submitted to the director prior to the delivery of the biosolids to the land reclamation site.