



Ohio Administrative Code

Rule 3745-40-05 Notice and necessary information requirements for biosolids.

Effective: [March 1, 2026](#)

(A) Notice and necessary information requirements for permittees. Prior to beneficial use, the permittee shall develop, maintain, and provide to the initial person who receives class B or exceptional quality biosolids information including, but not limited to, all of the following:

- (1) The name, address, telephone number and NPDES permit number of the permittee.
- (2) The following statement: "The material you are receiving is or contains class B or exceptional quality (EQ) [select one option] biosolids that have been treated to meet the requirements in Chapter 3745-40 of the Administrative Code."
- (3) The concentration of total Kjeldahl nitrogen, ammonia nitrogen, total phosphorus and total potassium of the biosolids in milligrams per kilogram, dry weight basis.
- (4) The concentration of pollutants, as identified in paragraph (D) of rule 3745-40-04 of the Administrative Code in milligrams per kilogram, dry weight basis.
- (5) The pathogen reduction alternative, as identified in paragraph (B) of rule 3745-40-04 of the Administrative Code, and the vector attraction reduction option, as identified in paragraph (C) of rule 3745-40-04 of the Administrative Code, that has been satisfied. For VAR-9 or VAR-10, the notice and necessary information shall identify the need for the beneficial user to inject or immediately incorporate the biosolids in accordance with paragraph (C) of rule 3745-40-04 of the Administrative Code to satisfy the vector attraction reduction option.
- (6) The following statement: "The biosolids shall be further treated, stored, transferred, disposed of or beneficially used in accordance with Chapter 3745-40 of the Administrative Code."

(B) Notice and necessary information requirements for beneficial users. Any person who beneficially uses class B or bulk exceptional quality biosolids shall develop, maintain, and provide beneficial



user notice and necessary information to, as applicable, the permittee, beneficial use site operator, and beneficial use site owner for each agronomic rate utilized and crop type planted at a beneficial use site. At a minimum, the beneficial user notice and necessary information shall include the following information:

"On [fill in the date or dates biosolids were beneficially used on the beneficial use site], biosolids from [fill in name of treatment works], Ohio environmental protection agency permit [fill in NPDES or biosolids management permit number], were beneficially used on [fill in Ohio environmental protection agency number for the beneficial use site for class B biosolids, or street address or latitude and longitude of the beneficial use site for bulk exceptional quality biosolids] located in [fill in township and county where beneficial use occurred]. Biosolids are a by-product of wastewater treatment:

(1) An analysis of the biosolids showed the following concentrations [provide concentration in per cent or milligrams per kilogram, dry weight basis]:

(a) Total kjeldahl nitrogen.

(b) Ammonia nitrogen.

(c) Total phosphorous.

(d) Total potassium.

(2) The agronomic rates used at this site include the following [provide application rate in pounds per acre or kilograms per hectare, dry weight basis]:

(a) Available nitrogen.

(b) Phosphate.

(c) Potash.



The above information is supplied as a requirement of the Ohio environmental protection agency, division of surface water, which can be reached at 1-877-644-2001."

(C) Notice and necessary information requirements for distribution of exceptional quality biosolids. Any person who distributes exceptional quality biosolids shall provide notice and necessary information to the person receiving the biosolids for beneficial use or affix a label to the container in which exceptional quality biosolids are distributed. The notice and necessary information or label shall include, at a minimum, the following information:

(1) The name and address of the person who generated the exceptional quality biosolids that is distributed for beneficial use.

(2) A statement that use of the exceptional quality biosolids is prohibited except in accordance with the instructions on the label or in the notice and necessary information.