STATE OF WEST VIRGINIA
DIVISION OF ENVIRONMENTAL PROTECTION
DIVISION OF WATER AND WASTE MANAGEMENT
601 57th Street SE
Charleston, WV 25304-2345

FACT SHEET, INFORMATION, AND RATIONALE
FOR

GENERAL PERMIT FOR DISPOSAL AT PUBLICLY OWNED TREATMENT WORKS DISPOSAL OF SEWAGE SLUDGE AND/OR DOMESTIC SEPTAGE

1. **NAME AND ADDRESS OF APPLICANT:**

Any sewage sludge or domestic septage hauler who holds a valid West Virginia Septic Tank Cleaning Permit issued by a West Virginia County Health Department and authorization from POTW for disposal will be regulated under the terms of this proposed General Permit.

2. **GENERAL PERMIT NO.:** WVGS20000

3. **COUNTY:** Any WV County

4. **PUBLIC COMMENT PERIOD: September 13, 2015 – October 13, 2015**

5. **DESCRIPTION OF APPLICANT'S FACILITY OR ACTIVITY:**

Sewage sludge or domestic septage pumping operation that transports sewage sludge and/or domestic septage for disposal at publicly owned sewage treatment facilities only.

6. **GENERAL INFORMATION:**

The Division of Water and Waste Management is re-issuing this General Permit to regulate sewage sludge or domestic septage pumping operation under the authority and mandate of the West Virginia Sewage Sludge Management Regulations (Title 33, Series 2). Any owner of a sewage sludge or domestic septage pumping operation who can be regulated under the terms of the proposed General Permit will be eligible to apply for this Permit.

The purpose of this general permit is to establish an efficient, environmentally sound procedure for transporting of sewage sludge and/or domestic septage. This general permit will be successful in streamlining the Division of Water and Waste Management permitting process in issuing coverage to any owner who can demonstrate the ability to achieve compliance.

The Director has the authority to require any owner to apply for and obtain an individual permit. This authority will be exercised when the Director determines such a permit will better protect that human health and the environment.

6. **GENERAL INFORMATION: (Continued)**

The universe of sewage sludge and septage pumping operation owners that are eligible for regulation under this General Permit numbers approximately 130. Currently permitted facilities wishing to continue discharging under the new general permit will be required to submit a completed site registration application form. Any facility registered during the last six months of the current general permit term will automatically be provided coverage under the new general permit without being required to submit a new site registration application form. To provide for continued permit coverage during the reissuance process, the existing general permit will be extended for six months. Any new owners who would like to be covered under this General Permit must register by completing a permit registration application. The owner must comply with Title 33, Series 2, Section 4.1.

7. **RATIONALE FOR REPORTING REQUIREMENTS:**

A. Written Reports - The permit requires the submittal of a Septic Hauler Identification and Tracking Report to DEP, electronically via the Electronic Submission System (ESS). This report is a monthly summary of the quantity and type of waste hauled, and the method of disposal for the waste. It will be used to track compliance with disposal requirements and to determine the volume, types, and disposal methods for wastes handled by each hauler.

The West Virginia Sewage Sludge Management Regulations require a copy of the "Septic Hauler Identification and Tracking Report" to be submitted to the county solid waste authority where the facility is located. This General Permit also requires that a copy of all reports be sent to the County Health Department that permits the hauler, so that county health department sanitarians will be kept more fully informed on the haulers they are licensing and inspecting.

B. Other Reporting - Any spill or incident that may endanger human health or the environment must be reported immediately on the agency's spill alert line so that proper guidance can be given on remedial measures and other appropriate responses can be made by the Agency. Spills that must be reported to the Agency include any spill to the ground that exceeds 10 gallons or any spill to a surface water collection point. Other instances of noncompliance are required to be reported at the time "Septic Hauler Identification Tracking Reports" are submitted.

8. **RATIONALE FOR DEFINITIONS:**

All definitions are either Federal or State regulatory definitions taken from applicable solid waste, sewage sludge, and water pollution control regulations.

9. RATIONALE FOR INSPECTION AND ENTRY REQUIREMENTS:

Authorized representatives of the Director of the Division of Water and Waste Management (e.g. inspectors) must be able to have access, at reasonable times, to equipment, storage areas, and records. This is necessary for inspectors to evaluate permit compliance and assure that the activities are conducted in a manner that is protective of human health and the environment.

10. RATIONALE FOR OTHER REQUIREMENTS:

A. Storage - In some cases, haulers will temporarily store the sewage sludge or domestic septage so that a larger quantity can be treated at one time. Underground tanks are often used for storage until final disposal. The tanks must not leak and must be operated in a manner to prevent the release of sewage sludge or domestic septage into the groundwater. Underground storage tanks can meet groundwater protection requirements by backfilling around the tank with a porous material, such as pea gravel or one quarter (1/4) inch limestone. Observation wells shall then be installed and abandoned in accordance with Title 47CSR59 and 60. These wells must be checked monthly with a bailer to see if any liquid is leaking from the tank.

All storage structures must also be protected from flooding. Fencing must be installed around any open or unlocked storage facility to prevent entry.

B. Compliance with Bureau for Public Health Regulations and Permits - This permit does not negate or supersede any permits or regulations issued by the Bureau for Public Health. On the contrary, all requirements of the Bureau for Public Health must be met as a condition of this General Permit.

C. Record Keeping - "Septage and sewage Sludge Manifest" forms, or forms with the equivalent information, are required to be kept for each pickup location and disposal site. These forms specify the date, time, quantity, type of waste (septage, grease trap, package plants, etc.), name and address of the pickup location; date, time, location, and method of disposal; and proof of disposal at a sewage treatment plant. This information will be critical in compliance monitoring and enforcement actions.

Portable toilets contain a small volume of waste (less than 20 gallons) and are usually collected on a set route, making it cumbersome to manifest each portable toilet. For this reason, all portable toilets on board each truck are considered one pickup location.

West Virginia Sewage Sludge Management Regulations require that all records be maintained for five (5) years.

D. Groundwater Protection Plan - A groundwater protection plan is a written set of measures to be taken by the facility to prevent the release of contaminates to the groundwater. A groundwater protection plan is required for all businesses whose activities have the potential to impact the groundwater. Since the monitoring and storage requirements of this General Permit are adequate to protect groundwater, no additional written plan is required.

The State of West Virginia, Department of Environmental Protection, Division of Water and Waste Management, has made a tentative decision for a State Permit as listed on this Fact Sheet. In order to provide public participation on the proposed issuance of the required permit, the following information is being supplied in accordance with Title 33, Series 1, Section 3.21 through 3.26, of the West Virginia Legislative Rules.

During the public comment period, any interested person may submit written comments on the draft permit. Comments must be made in writing and addressed to:

Director, Division of Water and Waste Management
Department of Environmental Protection
601 57th Street SE
Charleston, WV 25304-2345
ATTENTION: Mylinda Maddox
Phone: (304) 926-0499, Extension 1065
Fax: (304) 926-0496
E-mail: Mylinda.A.Maddox@wv.gov

The written comments shall include the writer's name, address and daytime telephone number and a concise statement of the issue(s) raised. Comments must be received within the comment period.

Any person may submit oral or written statements and data concerning the draft permit during the designated public comment period.

If information received during the public comment period appears to raise substantial new questions, the Director may reopen the public comment period.

All applicable information concerning any permit application and the tentative decisions is on file and may be inspected, by appointment, or copies obtained, at a nominal cost, at the Division of Water and Waste Management, 601 57th Street SE, Charleston, West Virginia 25304, Monday through Friday (except State holidays) between 8:00 a.m. to 4:00 p.m. Contact Mylinda Maddox, telephone (304) 926-0499 ext 1065, to schedule an appointment or to purchase document copies.

Hearing impaired individuals having access to a Telecommunication Device for the Deaf (TTY) may contact our agency by calling (304) 926-0489. Calls must be made between 7:30 a.m. to 3:30 p.m. Monday through Friday.