



**Standard Operating Procedure (SOP)<sup>1</sup> for Clean Water Program  
Beneficial Use of Biosolids by Land Application  
Notification of First Land Application (30-Day Notice) & Site Suitability Notice (SSN)  
SOP No. BCW-PMT-036  
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Version 1.2**

This SOP describes the procedures by which the Clean Water Program will process and review a 30-Day Notice indicating the intent to land apply biosolids at a new agriculture, mine reclamation or forest site under the General Permits PAG-08 and PAG-09 for beneficial use of biosolids, and will conduct site suitability determinations to approve the new land application site. The standards for beneficial use of sewage sludge by land application are established in Chapter 271, Subchapter J, and in the applicable permit.

A **Notification of First Land Application (30-Day Notice)** form (3800-FM-BPNPSM0343) and package may be submitted by a permitted generator, a contract land applier on behalf of a permitted generator, or a permitted land applier of residential septage.

The SOP identifies the minimum components required for a complete notice and site suitability review and approval, and identifies conditions that should be considered deficiencies or that deem the site unsuitable for land application under a general permit. The accompanying review form is for staff use as a checklist and to document findings and actions.

Clean Water Program staff will adhere to the following guidance and documents as applicable in the course of the review and site suitability determination:

- **eFACTS BioSolids Guidance - Application Processing System/Client Site APS/CS**
- **Beneficial Use of Sewage Sludge at Active Mine Sites** (563-2000-602)
- **Nutrient Management Program Technical Manual** Version 8, October 2014 available online at <http://panutrientmgt.cas.psu.edu>.

If any violations are observed during the field review, such as first land application before the end of the 30-day waiting period or a pollution incident, staff should stop the review and conduct a complete compliance evaluation inspection following the **SOP for Land Application Site Inspections** (BPNPSM-INSP-012) and using the **Land Application Site Compliance Inspection Report** (3800-FM-BPNPSM0101).

The following authorization type will be used in eFACTS to record 30-Day Notice and Site Suitability approvals:

- SSN - First Land Appl Notification, Site Suitability 30-Day Notice

#### General Policies

In general, the biosolids coordinator ("application manager") will not approve the land application of biosolids under a General Permit (PAG-07, PAG-08 or PAG-09) where one or more of the following apply:

- a. Land application is proposed in a watershed classified as Exceptional Value (EV) in Title 25 Pa. Code Chapter 93.

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<sup>1</sup> **DISCLAIMER:** The process and procedures outlined in this SOP are intended to supplement existing requirements. Nothing in the SOP shall affect regulatory requirements. The process, procedures and interpretations herein are not an adjudication or a regulation. There is no intent on the part of DEP to give the rules in this SOP that weight or deference. This document establishes the framework within which DEP will exercise its administrative discretion in the future. DEP reserves the discretion to deviate from this policy statement if circumstances warrant.

- b. The application manager determines that the proposed land application will be more appropriately controlled under an individual site permit due to unusual site conditions, or otherwise an individual site permit is considered necessary to ensure compliance with the Clean Water Act, the Clean Streams Law, the Solid Waste Management Act or other interstate compacts or international agreements and the applicable rules and regulations promulgated under each.
- c. Land application is proposed by persons with a significant history of non-compliance with prior permits issued by DEP or the applicable state authority.
- d. Land application of biosolids for beneficial use is proposed in an area that may adversely affect a listed endangered or threatened species or its critical habitat and the best management practices submitted in the 30-Day Notice are not sufficient to ensure no adverse effect.

## I. First Land Application Notice and Site Suitability Review

- A. Clean Water Program staff, preferably biosolids coordinators or other qualified staff, will conduct a completeness and technical review of the 30-Day Notices as they are received, generate a deficiency letter if needed, perform a field review for Site Suitability, if field and weather conditions allow, within 30 days after the receipt of a complete and acceptable notification package. Upon completion of the review, if no deficiencies are noted or outstanding, staff will issue a suitable site determination letter and publish a Site Suitability Notice (SSN).
- B. The entry of a Site Suitability Notice in eFACTS will comprise the 30-Day Notice review (see Section II) and the Site Suitability field review (see Section III).
- C. Review Form and Tracking
  - 1. The 30-Day Notice and Site reviews will be documented on pages 1 through 3 of the **First Land Application Notice & Site Suitability Review** form "Review form" (3800-FM-BPNPSM0102).
  - 2. In general, staff will document any deficiencies as described in this SOP and as observed or identified during a field review on page 1 (and page 3 if more space is needed) of the Review form.
  - 3. Staff will track the date progress of the review on the eFACTS Authorizations screen (Tasks button on the Application Screen). Detailed notes about any phone or written correspondence, or about corrections to deficiencies should be recorded on the Comments section of the Review form.

## II. 30-Day Notice — Completeness & Technical Review

- A. Upon receipt of the 30-Day Notice, staff will:
  - 1. Confirm that the notification has been submitted to the correct regional office:
    - i. Notification to the Regional Office where the site is located, if different from the Regional Office that issued the permit where the permittee is located.
    - ii. A notification for a mine reclamation site that is not covered by a DEP mining permit should be submitted to and reviewed by the DEP regional office where the reclamation site is located.
  - 2. Confirm that three copies are provided (for the regional office files, the inspector, and the municipality).
  - 3. Transmit a copy of the 30-Day Notice package to the municipality where the site is located (letter template: Transmittal of 30-Day Notice to Municipal Officials).

4. Verify that the latitude and longitude coordinates provided properly identify the site location as shown on the map.
5. Follow the eFACTS Biosolids Guidance to create Site, Primary Facility (PF), Sub Facility (SF), Application Processing (APS), and Master Authorization (Auth) records in eFACTS using the Auth Type code "SSN".
  - i. Associate the land applier as the client with the site.
  - ii. Enter the site location and coordinates, and other pertinent information.
  - iii. Enter the date that the 30-day notice was received in the "Recvd" field.
  - iv. Record the site name and location to cross-reference multiple generators.
 

**NOTE:** A land applier may apply biosolids from more than one generator at the same site. However, each site may only receive biosolids from one land applier.
  - v. Link all applicable generator SFs to the authorization/application record.
6. Review the permit file and/or check eFACTS/NMS for each permittee to confirm that the permit has not expired and that the generator and/or land applier does not have outstanding compliance issues, especially for permits issued from another regional office or for out-of-state generators.
7. Review the Annual Recordkeeping and Reporting Form and/or eFACTS for each permittee to determine current compliance with permit requirements for reporting, biosolids quality, loading rates, pollutant loading rates, and other special conditions.

#### B. Completeness Review

1. Staff will conduct a review of the 30-Day Notice form (3800-FM-BPNPSM0343) and attachments for completeness and overall technical adequacy as follows and document the completeness on page 2 of the Review Form:
  - a. *Notification of First Land Application* form.
    - i. For active mine sites, notification in compliance with DEP's technical guidance document *Beneficial Use of Sewage Sludge at Active Mine Sites* (563-2000-602)
    - ii. Permittee and site information is provided.
    - iii. Affirmative indication that the applier has completed the required training.
    - iv. All information is provided and all questions are answered, including indication of notice to adjacent landowner(s) and to the County Conservation District where the site is located, and that the land occupant/owner received or will receive a user instruction sheet 7-days prior to first application.
    - v. Watershed and stream classification(s) are provided for each application area.
    - vi. Form signed and certified.
  - b. Attachments included with the notification form:
    - i. Site map with site boundaries, application areas, and acreage for each field, and location of proposed storage areas.
    - ii. Copy of the Contractual Consent of Landowner.
    - iii. Description of any onsite storage, including any special conditions as described in PAGO8 Condition G1a or PAGO9 condition B.
    - iv. For non-agricultural sites, an explanation of the intended activity.
    - v. Copy of manure or nutrient worksheet, if needed.

- vi. Copy of manure management plan and implementation schedule, if needed.
  - vii. Copy of an Erosion & Sedimentation or Farm Conservation Plan, and an implementation schedule.
  - viii. List of adjacent landowners that received notification.
  - ix. Soil chemical analytical results for each field.
  - x. Example of agronomic rate calculations.
  - xi. Completed PNDI form, and if applicable, all clearance letters, avoidance or conservation measures.
  - xii. Copies of any waivers from adjacent landowners for activities within 300 feet of an occupied dwelling or a water source.
  - xiii. CPLRs, if biosolids were applied previously.
2. If any of the items in the completeness review are found to be deficient, either missing or incomplete, but insignificant such that correction could occur within a few days, staff may contact the applicant for compliance.

If the deficit is not provided or corrected or is deemed significant, the SSN will be denied. If deficiencies are corrected or none are noted, staff will proceed with the technical review. C.

### C. Technical Review

1. Staff will conduct a technical review of the submitted information, which comprises the following confirmations and analysis:
- a. From the locational information and site map, confirm the municipality, the local watershed(s) where the site is located, and the Chapter 93 designated or any existing water uses (classification) for the local watershed stream segment. Application to sites in the watershed of a stream segment classified as an exceptional value (EV) water must be permitted under an individual site permit (PABIS). If any application area(s) on the farm in an EV watershed are proposed to receive biosolids permitted under a general permit, staff will return the 30-Day Notice to the applier who will need to revise the site map indicating removal of these areas or apply for an individual permit for the site. If only a portion of the farm is in an EV watershed, the applicant could resubmit the original without the EV areas for coverage under the PAG, and submit an individual permit application for the EV areas.
- NOTE:** Statewide Existing Use Classifications are at:  
<http://www.dep.pa.gov/Business/Water/PointNonPointMgmt/WaterQuality/>  
 under Existing Use Classifications.
- b. For sites located in the watershed of a stream segment classified as a high quality (HQ) water in Ch. 93, or determined by the department to have an attained an existing HQ water use, confirm that best management practices proposed to be achieved at the site protect and maintain the water quality of the stream. The standards for the beneficial use of sewage sludge by land application in Subchapter J are the reasonable and cost-effective best management practices necessary to protect and maintain water quality. If the combination and interrelationship of site features warrants the use of one or more best management practice in addition to those required by Subchapter J to protect and maintain the water quality of the HQ stream segment, staff will advise the applier to revise the submitted information to include the additional practice(s). If the applier refuses, staff will return the 30-Day Notice to the applier who will need to apply for an individual permit for the site.
  - c. For sites located in the watershed of a stream segment classified as Special Protection Waters by the Delaware River Basin Commission (DRBC), confirm that the best management practices proposed for the site achieve any DRBC standards.

- d. Confirm whether any EV wetlands are present on the site that may require special protection under § 105.17. Such wetlands include the following:
  - i. Wetlands that serve as habitat for threatened or endangered species identified in the PNDI receipt for the site;
  - ii. Wetlands hydrologically connected to or located within ½ mile of a wetland that serves as habitat for a threatened or endangered species identified in the PNDI receipt for the site, and that maintain the species habitat in that wetland (consult with the Waterways Engineering and Wetland Program as needed);
  - iii. Wetlands located in or along the floodplain of a reach of a wild trout stream or an EV water under Ch. 93 and the floodplains of any tributaries to such streams (the list of wild trout streams is available at [http://fishandboat.com/trout\\_repro.pdf](http://fishandboat.com/trout_repro.pdf));
  - iv. Wetlands within a watercourse or body of water designated as a wild or scenic (state scenic rivers are identified at <http://www.dcnr.state.pa.us/brc/conservation/rivers/scenicrivers/index.htm>; federal wild and scenic rivers are identified at <http://www.rivers.gov/pennsylvania.php>);
  - v. Wetlands located along an existing public or private drinking water supply, including both surface and groundwater sources, that maintain the quantity or quality of the drinking water supply;
  - vi. Wetlands located in a state park or state forest natural or wild area (review the State Park Map or State Forest Public Use Map available at <http://www.dcnr.state.pa.us/>), a Federal wilderness areas in Pennsylvania (identified at <http://www.wilderness.net/NWPS/stateView?state=PA>), and Federal natural landmarks in Pennsylvania (available at <http://www.nature.nps.gov/nnl> under NNL Directory).

If an EV wetland is present, confirm that the functions and values of the wetland will be protected and maintained by the required 100-foot setback. If a greater setback is warranted to protect the wetland, staff will advise the applier that the site map will need to be revised to exclude application or storage from the additional setback area. If the applier refuses, staff will return the 30-Day Notice to the applier who will need to apply for an individual permit for the site.

- e. A map (such as a county soils map) showing the soil series boundaries. Compare and confirm the mapped soils and slopes with a soil survey map from a soil map website or NRCS soil survey website and any other soils maps provided or available including the farm conservation plan map.
- f. Site map shows the proposed application area(s) and the setback items. Confirm that the setback and slope requirements per Ch. 271.915 (c) and (d) are met, as follows:
  - i. 100 feet or more from a perennial stream or 33 feet or more from an intermittent stream.
  - ii. 100 feet from the edge of a sink hole.
  - iii. 300 feet or more from an occupied dwelling unless the current owner has provided a written waiver.
  - iv. 300 feet or more from a water source unless the current owner has provided a written waiver. (If a spring or well is present on the site

within 300 feet of an application area, but not used for human consumption, consider its proximity to any other spring or well in the vicinity used for human consumption and assess the need for a setback.)

- v. 100 feet from an exceptional value wetland.
- vi. 11 inches from the seasonal high water table or 3.3 feet from the regional groundwater table based on the most recent NRCS soil survey mapping.
- vii. Slopes at each application area as follows:
  - 1. Less than or equal to 25% on agricultural utilization sites.
  - 2. Less than or equal to 35% on land reclamation sites.
- g. PNDI search form results — verify that the Pennsylvania Natural Diversity Inventory form accurately captured the site, and that the site is not habitat for threatened or endangered species. Biosolids may not be applied to a site that has been determined from the PNDI search to be habitat for threatened or endangered species unless potential impacts have been resolved by the jurisdictional agency(ies) and/or avoidance or conservation measures have been agreed to. Clearance Letters must be submitted to DEP as part of the SSN review process. If the jurisdictional agency(ies) recommends a setback of more than 100 feet for biosolids application or storage, staff will advise the applier that the site map will need to be revised to exclude application or storage in the additional setback area. If the applier refuses, staff will return the 30-Day Notice to the applier who will need to apply for an individual permit for the site.

**NOTE:** See DEP policy for PNDI Coordination During Permit Review and Evaluation, DEP 400-0200-001, May 25, [2013](http://www.elibrarydep.state.pa.us/dsweb/Get/Document-95198/021-0200-001.pdf).  
[www.elibrarydep.state.pa.us/dsweb/Get/Document-95198/021-0200-001.pdf](http://www.elibrarydep.state.pa.us/dsweb/Get/Document-95198/021-0200-001.pdf).

- h. Design, construction, location, and operation of the proposed storage units or tanks, or storage area for sludge piles, as described, complies with the requirements in Chapter 285, Subchapter A and any special conditions as described in PAGO8 Condition G1a or PAGO9 condition B *Septage Treatment and Storage*.

**NOTE:** This section refers to the storage of sewage sludge in piles for more than 7 days, the storage (staging) of sewage sludge for no more than 7 days, and the storage of residential septage in tanks or other containment.

- i. Design shows that surface water runoff from or onto storage areas is minimized.
- ii. Storage and treatment may not be located in an area likely to affect a Federal or Pennsylvania threatened or endangered species or within the following setbacks:
  - o 100 feet of an intermittent or perennial stream
  - o 300 feet of water source, unless waived by the current owner
  - o 1,000 feet upgradient of a surface water source, unless approved in writing
  - o 25 feet of a bedrock outcrop
  - o 50 feet of a property boundary, unless waived
  - o 100 feet of a sinkhole or area draining into a sinkhole
  - o 25 feet of the perimeter of an undrained depression
  - o 100 feet of exceptional value wetland
  - o 300 feet of occupied dwelling, unless the current owner has provided a written waiver
  - o On slopes greater than 3% unless approved

In addition to the above, sewage sludge in piles may not be stored or staged, unless otherwise approved by DEP, in areas as follows:

- Within 11 inches of the seasonal high water table
  - Within 3.3 feet of the regional groundwater table
  - On soils with a pH less than 6.0
- iii. Uncovered storage tanks are provided with at least 2 feet of freeboard, or a secondary containment area capable of holding the volume of the largest unit, or an automatic feed cutoff, or an overflow warning system.
  - iv. Enclosed storage tanks using a continuous or direct-feed mechanism are provided with an automatic feed cutoff system or an overflow warning system.
  - v. Underground tanks may not be used for storage or treatment, unless approved by DEP.
  - vi. Storage and treatment tanks that are not prefabricated must have the design and construction certified by a registered PE.
  - vii. Berms are to be installed around a storage or staging area or storage structures or facilities to collect runoff or leachate from the storage area for either removal to a treatment facility, return to the storage unit, or land application with the biosolids.
  - viii. Total combined capacity of septage treatment and storage units does not exceed 500,000 gallons. If so, an Individual Site permit is required.
  - ix. Septage storage units/tanks must be labeled "Residential Septage".
  - x. Confirm that construction activities that involve earth disturbance comply with the appropriate erosion and sedimentation controls specified in Chapter 102.
- i. Review the farm operation compliance with the following, if applicable:
    - i. Farm conservation plan prepared and implemented. If the farm has a partially implemented conservation plan, then only the fields where the plan is implemented may be used for land application, as long as the areas that are not implemented do not impact those areas that are implemented.
    - ii. Calculations indicating that the nitrogen available from the manure produced by animals at the farm does not satisfy the nutrient needs of the farm for realistically expected crop yields, or a management plan is implemented that allows for uses of the manure other than land application on that farm. If the calculations indicate that the nutrient needs are satisfied by manure or the manure management plan has not been implemented, biosolids may not be applied at the site.

**NOTE:** Staff may contact the county conservation district for assistance to determine if the conservation plan and the manure management plan meet the requirements and if they are implemented.

Land applier has been provided with necessary information from the generator to comply with requirements. For example, for PAGO8 permits, biosolids cannot be applied unless the biosolids meet the monthly average pollutant concentrations in Table 3 of 271.914(b)(3) per paragraph E.2.

- j. Soil analysis indicates that the soil pH is greater than or equal to 6.0 for each field. Staff may approve land application when the soil pH is slightly below 6.0 if the land

applier plans to raise the pH either through the application of lime or lime stabilized biosolids.

- k. Consider the combination and interrelationship of site features and best management practices proposed at the site and any unique site features to assess if any additional best management practice (e.g., an additional setback) may be needed to adequately protect local water resources. If an additional best management practice is warranted, staff will advise the applier that the site map will need to be revised to include that practice(s). If the applier refuses, staff will return the 30-Day Notice to the applier who will need to apply for an individual permit for the site.
- l. For PAGO8 permits: Background soil pollutant concentrations are equal to or exceed the acceptable soil concentrations for metals listed in Appendix 1 of the PAGO8 permit.

**NOTE:** See Chapter 6 of EPA's Guide to the Biosolids Risk Assessments:  
<http://water.epa.gov/scitech/wastetech/biosolids/503ru1e index.cfm>

- m. Review the CPLRs to determine if cumulative pollutant loading rates would be exceeded on sites where biosolids were applied previously.
  - n. Review the training course registrations to confirm that the applier successfully completed the required training.
2. If any of the items in the technical review are found to be deficient, either missing or incomplete, but insignificant such that correction could occur within a few days, staff may contact the applicant for corrections.
  3. If items are deemed significant but could be corrected, staff will issue a letter (letter template: 30-Day Notice Technical Deficiencies) detailing the deficiency and setting a deadline for response.

#### D. 30-Day Notice Post-Review Activities

1. If deficiencies are not corrected, or are such that a field review for site suitability cannot be conducted adequately, or preclude the determination that the site is suitable, staff will issue a denial letter (letter template: Unsuitable Site Determination) due to the notification being either "administratively incomplete" or "not qualifying" for the issuance of a Site Suitability Notice. Staff will include specific regulatory citations in the letter and forward copies to the permittee and/or the generator, the county conservation district and the municipality.
2. If deficiencies are corrected or none are noted, staff will proceed with the field review for site suitability.
3. Prior to the field review, staff will discuss administrative issues with the permittee(s), including but not limited to the permit renewal application due date and the permittee's compliance with or failure to submit timely Annual Reports.
4. Upon determining that the 30-Day Notice is acceptable, staff will contact the land applier to schedule a site suitability review. Staff may also request that the permittee be present for those sites not operated by the permittee. If needed, staff may coordinate the site review with the county conservation district.

### III. Site Suitability Field Review



A. If a field review cannot be conducted within 30 days of receipt of a 30-Day Notice package due to site conditions, staff will provide written notification to the applicant (letter template: Site Review Delay-Site Conditions).

B. Arrival On-Site

1. Upon arrival on-site, staff will implement the following steps:

- a. Staff will notify the land applier of their arrival on-site and confirm the land applier's participation in the review so that questions that arise can be answered.
- b. Staff will introduce themselves, explain the purpose of the review and describe the review process. Staff will provide the land applier with a business card if a card has not been provided in the past.
- c. Staff will inform the land applier that photographs may be taken to document field conditions. If the land applier requests that photographs not be taken, staff will inform the land applier that DEP has the authority under state and federal law to perform a review and document conditions using photographs, but it may upon request omit such photographs from the public file if the land applier claims that its facilities constitute confidential commercial information. If the land applier allows photographs on this basis, staff will note the request on page 1 of the review form, and ask the land applier to sign page 1. Upon returning to the office, staff will consult with the supervisor and as necessary Clean Water Program counsel to determine whether the criteria in 25 Pa. Code § 92a.8 are met before deciding whether or not to place the photographs in the public file. If the land applier refuses photographs altogether, see paragraph III.B.2., below, unless staff determines following the review that the site is suitable and/or written documentation of deficiencies is sufficient.

2. If staff are denied access to complete any part of the review, notwithstanding access that would pose legitimate safety concerns for staff, staff will leave the site and issue an Unsuitable Site Determination letter.

3. If the land applier makes any claims of confidential commercial business information ("CBI") during the course of the review, marks the information as 'Confidential', and requests that the review form not include such information, staff will not reveal such information unless the information is determined to be integral to describing a deficiency. In such cases, upon returning to the office, staff will consult with the supervisor and Clean Water Program counsel to determine whether the criteria in 25 Pa. Code § 92a.8 are met before deciding whether or not to place the information in the public file.

C. Site Suitability Deficiencies

Staff will walk the proposed application areas with the conservation plan and the site map to assure suitability in accordance with the requirements in Chapter 285 and Chapter 271.

**NOTE:** If first land application has occurred before the end of the 30-day waiting period and/or to areas not shown on the site map, staff should stop the field review and conduct a complete compliance evaluation inspection following the **SOP for Land Application Site Inspections** (BNPSPM-INSP-012) and using the Land Application Site Compliance Inspection Report (3800-FM-BNPSPM0101).

In general, failure to satisfy any of the following items identified during the field review for site suitability would be considered a deficiency and would make the site unsuitable for use under the general permit until corrected or modified. Staff will complete the following:

1. Verify that the following have been completed:

- a. Adjacent landowner notification was posted at the property line and have been maintained for the required 30-day notification period.
  - b. Occupant (farmer) provided with a user instruction sheet.
  - c. Landowner provided with information necessary to comply with requirements, such as notification of site restriction requirements for Class B biosolids and residential septage.
  - d. Land applier provided with information necessary to comply with requirements.
2. Verify that the site map accurately delineates the land application and storage area(s), including buffer zones, with fields, acreage and boundaries identified, and the location of adjacent dwellings, wells, streams, and sinkholes and any other setback items.
  3. Assess that the watershed drainage patterns for the proposed application areas are within the watershed(s) as reported on the 30-day notice.
  4. Verify that the farm is operated as follows:
    - a. A soil conservation plan or an erosion and sedimentation control plan that meets the requirements of Chapter 102 is implemented for all proposed application areas.
    - b. There are no visible signs of erosion on the site. Mark the site map where erosion is noted. Excessive erosion might indicate the conservation plan or erosion and sedimentation control plan is not implemented or needs to be revised to address areas of erosion.
    - c. The crop rotation as described in the farm conservation plan or erosion and sedimentation control plan is being followed.
    - d. Confirmation of Manure or Nutrient Management Plan implementation, if animal manure is generated onsite and does NOT satisfy the nutrient needs of the farm.
  5. Using appropriate equipment, such as a tape, range finder, soil auger, shovels, abney level or clinometer, as needed, verify that the proposed application area(s) meet the following setback, soil and slope requirements. Mark on the site map the location where slope measurements were taken and soil augers were done.

**NOTE:** If unsuitable areas can be easily delineated in the field, staff and the land applier can revise the site map to remove these areas. If unsuitable areas cannot be avoided, the site will be deemed unsuitable and the applicant will be requested to complete a more thorough investigation.

- a. 100 feet or more from a perennial stream
  - b. 33 feet or more from an intermittent stream.
  - c. 100 feet from the edge of a sink hole.
  - d. 300 feet or more from an occupied dwelling unless the current owner has provided a written waiver.
  - e. 300 feet or more from a water source unless the current owner has provided a written waiver.
  - f. 100 feet from an exceptional value wetland.
  - g. 11 inches from the seasonal high water table or 3.3 feet from the regional groundwater table. Staff may determine this by investigating suspect areas, such as changes in vegetation or visibly wet or spongy areas, using an auger or shovel.
  - h. Slopes at each application area as follows:
    - i. Less than or equal to 25% on agricultural utilization sites.
    - ii. Less than or equal to 35% on land reclamation sites.
6. Verify that the proposed storage area

7. Verify that the proposed storage area for staging is sufficiently sized to contain the amount of sewage sludge that meets the agronomic application rate for the site. Verify that storage is not located within following isolation distances or on the following slope:
  - a. 100 feet of intermittent or perennial stream.
  - b. 300 feet of a water source, unless otherwise approved by DEP in writing.
  - c. 1000 feet up-gradient of a surface water source, unless otherwise approvable in writing.
  - d. 25 feet of a bedrock outcrop.
  - e. 50 feet of a property line unless approved by the DEP in writing.
  - f. 100 feet of a sinkhole or area draining into a sinkhole.
  - g. 25 feet of the perimeter of an un-drained depression.
  - h. 100 feet of an exceptional value wetland as defined in Section 105.17 relating to wetlands.
  - i. 300 feet from an occupied dwelling, unless a waiver was provided
  - j. 11 inches to a seasonal high water table
  - k. 3.3 feet to the regional groundwater table
  - l. Slopes less than or equal to 3%, unless otherwise approved.
- D. If staff observe violations of a nature that may be considered an immediate threat to public health or the environment, staff will contact the supervisor or Operations Chief, and consider issuing a field order (form 3800-FM-BPNPSM0017a) in accordance with the **Field Order Instruction Manual for the Clean Water Program guidance (385-4000-002)**.
- E. On sites where storage facilities are to be constructed or installed, a follow up review should be conducted during construction or installation.

### III. Site Suitability Determination

- A. Staff will complete the following steps to make a site suitability determination:
  1. Complete the *First Land Application Notice & Site Suitability Review* Form to record that a field review for site suitability has been completed and that findings of the Department have been noted.
  2. If deficiencies have been found but can be corrected, staff will either contact the applicant or prepare and transmit a technical deficiency letter (letter template: 30-Day Notice Technical Deficiencies) and then complete a follow-up field review to confirm conditions, if necessary.
  3. If the site is determined to be not suitable for application under a general permit, staff will send written notification (letter template: Unsuitable Site Determination) to the applicant indicating that application under an Individual (PABIS) permit might be suitable.
  4. If all the conditions in Sections II. and III. have been satisfied, staff will send the applicant written notification (letter template: Suitable Site Determination) that approval has been granted for land application under the general permit. If storage was proposed and the design, location and other conditions are acceptable, the letter will include approval for the storage facility. If variances are approved, the letter will include those conditions.
- B. Staff will send a copy of the approval letter to the municipality and county conservation district where the site is located, submit a Site Suitability Notice (SSN) for publication in the Pennsylvania Bulletin, and record the "Disposed" date in eFACTS. Upload the Review form and approval letter to NMS in PDF format.
- C. Staff will update site and watershed information in eFACTS as necessary.