

CHAPTER 67 EO10 DRAFT - V.2, 11/16/2023CHAPTER 67
STANDARDS FOR THE LAND APPLICATION OF SEWAGE SLUDGE**567—67.1(455B) Land application of sewage sludge.**

67.1(1) General. This chapter establishes standards for the land application of sewage sludge generated during the treatment of domestic sewage in a treatment works. This chapter applies to any generator, applicator, or both, and to sewage sludge applied to the land. ~~No person shall land apply sewage sludge through any practice for which requirements are established in this chapter except in accordance with such requirements.~~

a. In areas that are not specifically addressed in this chapter or in 567—Chapter 68, but which are addressed in federal regulations for sewage sludge applied to land at 40 CFR Part 503, as amended through July 1, 2021, the federal regulations shall apply under this rule and are hereby adopted by reference under this chapter.

b. On a case-by-case basis, ~~the~~ this department may impose requirements for the land application of sewage sludge in addition to or more stringent than the requirements in this chapter when necessary to protect public health and the environment from any adverse effect of a pollutant in the sewage sludge.

67.1(2) Sewage sludge generators shall ensure that the applicable requirements in this chapter are met when ~~the~~ sewage sludge is land applied to the land. If ~~the~~ sewage sludge generator determines that a person being supplied sewage sludge for land application is not complying with applicable requirements of the land application program, the generator shall work with the applicator to obtain compliance with the requirements. If subsequent compliance cannot be achieved, the generator shall not supply additional sewage sludge to the applicator.

[ARC 2482C, IAB 4/13/16, effective 5/18/16; ARC 6192C, IAB 2/9/22, effective 3/16/22]

567—67.2(455B) Exclusions. In accordance with 40 CFR § 503.6, ~~this chapter does not establish requirements for the land application of the following solid wastes:~~

~~—67.2(1) S~~ ludge generated at an industrial facility, not including sludge generated from separately treated domestic sewage at an industrial facility.

~~—67.2(2) H~~ azardous sewage sludge, ~~sewage sludge determined to be hazardous in accordance with 40 CFR Part 261.~~

~~—67.2(3) S~~ ewage sludge with a high PCB concentration, ~~of 50 mg/kg or higher.~~

~~—67.2(4) I~~ ncinerator ash.

~~—67.2(5) G~~ rit and screenings, ~~or~~

~~—67.2(6) D~~ rinking water treatment sludge.

[ARC 6192C, IAB 2/9/22, effective 3/16/22]

567—67.3(455B) Sampling and analysis. Any sewage sludge generator who intends to land apply sewage sludge shall:

67.3(1) Sample and analyze the waste to determine whether it meets the criteria for sewage sludge for Class I, II, or III.

67.3(2) Analyze the waste to determine if any sources exist which may contribute significant quantities of potentially hazardous chemicals or other toxic substances. If any are found, the generator shall inform the department of their presence and shall analyze the waste for chemicals or substances in accordance with department guidelines ~~provided by the department.~~

67.3(3) Unless rules for specific programs under the USEPA or department authority provide otherwise, or unless other methods are approved by the department for a specific situation, samples taken and analyses made to document contamination under this chapter shall be conducted in accordance with the methods described in rule 567—67.10(455B).

567—67.4(455B) Land application plan program. All sewage sludge generators wishing to land apply sewage sludge shall establish and maintain in writing a long-range plan program for land application of sewage sludge. This plan program shall be developed for a minimum period of five years and shall be updated annually. A copy of this plan program shall be available at the facility for department inspection ~~by the department.~~ The plan shall be designed to ensure that land application can be conducted in accordance with the requirements of this chapter. At a minimum, this plan program shall contain the following information in detail for the next calendar year and

Commented [1]: "67.1(1), "No person shall..." - Redundant.

Commented [2]: 67.2, Exclusions - simplifying text, removing subrule numbers & adding CFR reference. 40 CFR 503.6.

Commented [3]: "Plan" is the correct terminology.

Commented [4]: 67.4, "The plan shall be..." - Existing text; Moved from ends of 67.4(1), (2), & (3).

CHAPTER 67 EO10 DRAFT - V.2, 11/16/2023

in general terms for the following four years. ~~The plan shall include, but not be limited to, the following:~~

67.4(1) An outline of the sewage sludge sampling schedule and procedures that will be followed to ensure that the sewage sludge being applied to land continues to meet the requirements.

67.4(2) A determination of the amount of land required for proper to allow land application of the sewage sludge to be conducted in accordance with the requirements.

67.4(3) Identification of the land areas and appropriate land application methods that will be used for land application of the sewage sludge. Those areas and application methods shall be selected as necessary to ensure that land application can be conducted in accordance with the requirements.

67.4(4) For each land application area, the names of the landowners and the applicators, ~~an~~ for all land application areas to be used for land application, and identification of any legal arrangements related to the use of an area, and these areas. The programs shall also ~~an~~ outline of any restrictions or special conditions that exist regarding the use of an area these areas for the land application of sewage sludge.

67.4(5) An overall land application schedule, including for the land application of sewage sludge. This schedule shall indicate the areas being used, the time of year that land application will occur on each area, and the estimated application rate for each area.

67.4(6) A determination of the types and capacities of the required application equipment, ~~required for land application of sewage sludge in accordance with the developed application schedule including an~~. The program shall also outline of how the application equipment will be made available and who will be responsible for conducting land application operations.

67.4(7) A determination of the types and capacities of necessary sludge storage and handling structures used to ensure that the land application of sewage sludge is conducted in accordance with the land application schedule. The program shall also outline whether any additional sludge storage or handling facilities are needed.

67.4(8) A determination of whether any additional sludge storage or handling facilities are needed, and a timeline plan to construct or obtain any required additional sludge storage, handling, or application facilities or equipment that are required by the land application program.

[ARC 6192C, IAB 2/9/22, effective 3/16/22]

567—67.5(455B) Special definitions.

67.5(1) Definitions in Iowa Code. "Sewage sludge" is defined in Iowa Code subsection 455B.171(34). For the purposes of this chapter, the term includes materials derived from sewage sludge.

67.5(2) Definitions in the Code of Federal Regulations (CFR). The following terms applicable to this chapter are defined in the referenced locations:

a. 40 CFR § 503.9: "dry weight basis", "food crops", and "person who prepares sewage sludge".

b. 40 CFR § 503.11: "agronomic rate", "annual whole sludge application rate", "bulk sewage sludge", and "cumulative pollutant loading rate".

c. 40 CFR § 503.31: "land with a high potential for public exposure" and "land with a low potential for public exposure".

"Agronomic rate" is the whole sludge application rate designed to provide the amount of nitrogen needed by the crop grown on the land and to minimize the amount of nitrogen that passes to the groundwater.

"Annual whole sludge application rate" is the maximum amount of sewage sludge (dry weight basis) that can be applied to a unit area of land during a 365 day period.

67.5(3) The following definitions apply to this chapter:

"Applicator" or "sewage sludge applicator" is any person who applies sewage sludge to the land.

"Bulk sewage sludge" is sewage sludge that is not sold or given away in a bag or other container for application to the land.

"Class I sewage sludge" is sewage sludge that meets the criteria under subrule 67.7(1).

"Class II sewage sludge" is sewage sludge that meets the criteria under subrule 67.8(1).

"Class III sewage sludge" is any sewage sludge that cannot meet either Class I sewage sludge criteria or Class II sewage sludge criteria.

"Cumulative pollutant loading rate" is the maximum amount of an inorganic pollutant that can be applied to an area of land.

"Dry weight basis" means calculated on the basis of having been dried at 105 degrees Celsius until reaching a constant mass (i.e., essentially 100 percent solids content).

- Commented [5]: "The plan shall include..." - Redundant.
- Commented [6]: 67.4(1), "to ensure that..." - Moved to new sentence in 67.4, "The plan shall be..."
- Commented [7]: 67.4(2), "to be conducted..." - Moved to new sentence in 67.4, "The plan shall be..."
- Commented [8]: 67.4(3), "for land app..." - Redundant.
- Commented [9]: 67.4(3), "Those areas and..." - Moved to new sentence in 67.4, "The plan shall be..."
- Commented [10]: 67.4(4) - Existing text; simplifying.
- Commented [11]: 67.4(5), "including..." - Existing text; simplifying.
- Commented [12]: 67.4(6), "req. app. equipment..." - Existing text; simplifying.
- Commented [13]: 67.4(6), "in accordance with..." - intent now captured in new sentence in 67.4(5), "The plan shall be..."
- Commented [14]: 67.4(6), "including an..." - Existing text; simplifying.
- Commented [15]: 67.4(7), "used to ensure..." - intent now captured in new sentence in 67.4(5), "The plan shall be..."
- Commented [16]: 67.4(7), "The program shall..." - Moved to new 67.4(6), "A determination of..." so that additional facility info is in one subrule.
- Commented [17]: New 67.4(6), "A determination of..." - Existing text; moved from 67.4(7), "The program shall..." so that additional facility info is in one subrule.
- Commented [18]: New 67.5(1) & (2) - lists the terms struck from 67.5 that are defined in Iowa Code & CFR.
- Commented [19]: Agronomic rate - Matches 40 CFR 503.11(b). Moved to new 40 CFR 503.11 definitions in new 67.5(2).
- Commented [20]: Annual whole sludge app rate - Matches 40 CFR 503.11(c). Moved to new 40 CFR 503.11 definitions in new 67.5(2).
- Commented [21]: New 67.5(3), "The following..." - Existing requirement. New subrule for definitions that are being kept.
- Commented [22]: Bulk sewage sludge - Matches 40 CFR 503.11(e). Moved to new 40 CFR 503.11 definitions in new 67.5(2).
- Commented [23]: Cumulative pollutant loading rate - Matches 40 CFR 503.11(f). Moved to new 40 CFR 503.11 definitions in new 67.5(2).
- Commented [24]: Dry weight basis - Matches 40 CFR 503.9(h). Moved to new 40 CFR 503.9 definitions in new 67.5(2).

CHAPTER 67 EO10 DRAFT - V.2, 11/16/2023

~~“Food crops” are crops consumed by humans. These include, but are not limited to, fruits, vegetables, and tobacco.~~

Commented [25]: Food crops - Matches 40 CFR 503.9(l). Moved to new 40 CFR 503.9 definitions in new 67.5(2).

~~“Generator” or “sewage sludge generator” is any person who generates sewage sludge, who derives a material from sewage sludge, or both.~~

~~“Land with a high potential for public exposure” is land that the public uses frequently. This includes, but is not limited to, a public contact site and a reclamation site located in a populated area (e.g., a construction site located in a city).~~

Commented [26]: Land with a high potential for public exposure - Matches 40 CFR 503.31(d). Moved to new 40 CFR 503.31 definitions in new 67.5(2).

~~“Land with a low potential for public exposure” is land that the public uses infrequently. This includes, but is not limited to, agricultural land, forest, and a reclamation site located in an unpopulated area (e.g., a strip mine located in a rural area).~~

Commented [27]: Land with a high potential for public exposure - Matches 40 CFR 503.31(e). Moved to new 40 CFR 503.31 definitions in new 67.5(2).

~~“Person who prepares sewage sludge” is either the person who generates sewage sludge during the treatment of domestic sewage in a treatment works or the person who derives a material from sewage sludge.~~

Commented [28]: Person who prepares sewage sludge - Matches 40 CFR 503.9(r). Moved to new 40 CFR 503.9 definitions in new 67.5(2).

~~“Sewage sludge” is solid, semisolid, or liquid residue generated during the treatment of domestic sewage in a treatment works. Sewage sludge includes, but is not limited to, scum or solids removed in primary, secondary, or advanced wastewater treatment processes; and a material derived from sewage sludge. Sewage sludge does not include ash generated during the firing of sewage sludge in a sewage sludge incinerator or the grit and screenings generated during preliminary treatment of domestic sewage in a treatment works.~~

Commented [29]: Sewage sludge - Very similar to Iowa Code 455B.171(34). Moved to new Iowa Code definitions in new 67.5(1).

[ARC 6192C, IAB 2/9/22, effective 3/16/22]

567—67.6(455B) Permit requirements. Prior to any land application of sewage sludge, a permit must be obtained by the sewage sludge generator in accordance with the following requirements:

Commented [30]: 67.6, Permit requirements - Existing text; Iowa Code 455B.174(4)(a)(1) & 455B.183(1)(a).

67.6(1) The permit for the land application of sewage sludge produced by a wastewater treatment facility that has been issued a construction permit from the department will be issued concurrently and as part of an state operation permit or NPDES permit. The issuance process and permit terms will be the same as that specified for NPDES permits in **567—Chapter 64**.

Commented [31]: 67.6(1), "The permit for" - Existing text; 40 CFR 503.3(a)(1).

67.6(2) The department will review, on a case-by-case basis, requests for a permit to land apply sewage sludge or any material derived from sewage sludge if the sewage sludge is produced outside of the state of Iowa or produced by a wastewater treatment plant that has not been issued a construction permit from the department.
[ARC 6192C, IAB 2/9/22, effective 3/16/22]

Commented [32]: 67.6(2), "The dept will" - Existing text; 40 CFR 503.5.

567—67.7(455B) Land application requirements for Class I sewage sludge.

67.7(1) Class I sewage sludge criteria. Class I sewage sludge is sewage sludge that meets the pollutant concentrations in **paragraph 67.7(1)“a,”** the Class A pathogen reduction requirements in **paragraph 67.7(1)“b,”** and the vector attraction reduction (**VAR**) requirements in **paragraph 67.7(1)“c”** below.

a. Pollutant concentrations for Class I sewage sludge. The concentration of each pollutant in the sewage sludge shall not exceed the concentration for the pollutant in Table 1.

TABLE 1—POLLUTANT CONCENTRATIONS

Commented [33]: Table 1-Pollutant Concentrations - Existing text; 40 CFR 503.13 Table 3.

Pollutant	Monthly Average Concentration
	milligrams per kilogram*
Arsenic	41
Cadmium	39
Copper	1500
Lead	300
Mercury	17
Nickel	420
Selenium	100
Zinc	2800

*Dry weight basis

CHAPTER 67 EO10 DRAFT - V.2, 11/16/2023

b. *Class A pathogen requirements for Class I sewage sludge.* The sewage sludge shall comply with subparagraphs 67.7(1)"b"(1) and (2) below.

(1) The sewage sludge shall comply with one of the following monitoring processes. Compliance with pathogen density shall not be based on an average value. Each individual sample result shall meet the numerical pathogen standards.

1. The ~~density of fecal coliform density~~ in the sewage sludge shall be less than 1000 Most Probable Number per gram of total solids (dry weight basis), or

2. The ~~density of Salmonella sp. bacteria density~~ in the sewage sludge shall be less than three Most Probable Number per four grams of total solids (dry weight basis).

(2) The sewage sludge shall comply with one of the following analytical and treatment processes.

1. The ~~sewage sludge temperature of the sewage sludge~~ shall be maintained at a specific value for a period of time using one of the procedures detailed below.

- When the percent solids of the sewage sludge is ~~seven~~ percent or higher, the ~~sewage sludge temperature of the sewage sludge~~ shall be 50 degrees Celsius or higher; the time period shall be 20 minutes or longer; and the temperature and time period shall be determined using Equation 1, except when small particles of sewage sludge are heated by either warmed gases or an immiscible liquid.

- When the percent solids of the sewage sludge is ~~seven~~ percent or higher and small particles of sewage sludge are heated by either warmed gases or an immiscible liquid, the ~~sewage sludge temperature of the sewage sludge~~ shall be 50 degrees Celsius or higher; the time period shall be 15 seconds or longer; and the temperature and time period shall be determined using Equation 1.

- When the percent solids of the sewage sludge is less than ~~seven~~ percent and the time period is at least 15 seconds, but less than 30 minutes, the temperature and time period shall be determined using Equation 1.

Equation 1:

$$D = 131,700,000/10^{0.1400t}$$

Where D = time in days; t = temperature in degrees Celsius.

- When the percent solids of the sewage sludge is less than ~~seven~~ percent; the ~~sewage sludge temperature of the sewage sludge~~ is 50 degrees Celsius or higher; and the time period is 30 minutes or longer, the temperature and time period shall be determined using Equation 2.

Equation 2:

$$D = 50,070,000/10^{0.1400t}$$

Where D = time in days; t = temperature in degrees Celsius.

2. The sewage sludge shall meet all of the following requirements:

- The ~~pH of the sewage sludge pH~~ shall be raised to above 12 and shall remain above 12 for 72 hours;

- The ~~sewage sludge temperature of the sewage sludge~~ shall be above 52 degrees Celsius for 12 hours or longer during the period that the ~~sewage sludge pH of the sewage sludge~~ is above 12; and

- At the end of the 72-hour period during which the ~~pH of the sewage sludge pH~~ is above 12, the sewage sludge shall be air dried to achieve a percent solids in the sewage sludge greater than 50 percent.

3. Sewage sludge treated in other known processes shall be analyzed prior to pathogen treatment to determine whether the sewage sludge contains enteric viruses and viable helminth ova. The density of enteric viruses in the sewage sludge after pathogen treatment shall be less than one plaque-forming unit per four grams of total solids (dry weight basis). The density of viable helminth ova in the sewage sludge after pathogen treatment shall be less than one per four grams of total solids (dry weight basis). Once the process has been demonstrated to achieve the required pathogen reduction, the process must be operated under the same conditions that were used during the demonstration.

4. Sewage sludge treated by unknown processes or by processes operating at conditions less stringent than the operating conditions at which the sewage sludge could qualify as Class I under other alternatives shall be analyzed prior to pathogen treatment to determine whether the sewage sludge contains enteric viruses and viable helminth ova. The density of enteric viruses in the sewage sludge shall be less than one plaque-forming unit per four grams of total solids (dry weight basis). The density of viable helminth ova in the sewage sludge shall be less than one per four grams of total solids (dry weight basis).

5. Sewage sludge shall be treated in one of the Processes to Further Reduce Pathogens (PFRP) described in ~~rule 567—67.11(455B)~~.

Commented [34]: 67.7(1)"b"1., "The density..." - Existing text; 40 CFR 503.32(a)(3)(i).

Commented [35]: 67.7(1)"b"2., "The density..." - Existing text; 40 CFR 503.32(a)(3)(i).

Commented [36]: 67.7(1)"b"(2)1. - "The temperature of..." - Existing text; 40 CFR 503.32(a)(3)(ii).

Commented [37]: "Equation 1" - Existing text; 40 CFR 503.32(a)(3)(ii)(A), Eq. (2).

Commented [38]: "Equation 2" - Existing text; 40 CFR 503.32(a)(3)(ii)(D), Eq. (3).

Commented [39]: 67.7(1)"b"(2)2. - "The sewage sludge..." - Existing text; 40 CFR 503.32(a)(4)(ii).

Commented [40]: 67.7(1)"b"(2)3. - "Sewage sludge treated..." - Existing text; 40 CFR 503.32(a)(5)(ii) & (iii).

Commented [41]: 67.7(1)"b"(2)6. - "Sewage sludge treated..." - Existing text; 40 CFR 503.32(a)(6).

Commented [42]: 67.7(1)"b"(2)5. - "Sewage sludge shall..." - Existing text; 40 CFR 503.32(a)(7)(ii).

CHAPTER 67 EO10 DRAFT - V.2, 11/16/2023

6. Sewage sludge shall be treated in a process that is equivalent to a Process to Further Reduce Pathogens (PFRP), as determined by the department.

Commented [43]: 67.7(1)"b"(2)6. - "Sewage sludge shall..." - Existing text; 40 CFR 503.32(a)(8)(ii).

c. *Vector attraction reduction (VAR) requirements for Class I sewage sludge.* The sewage sludge shall meet one of the following ~~VAR~~~~vector attraction reduction~~ requirements.

Commented [44]: 67.7(1)"b"(2)6. - "Vector attraction reduction..." - Existing text; 40 CFR 503.33(b).

(1) The mass of volatile solids in the sewage sludge shall be reduced by a minimum of 38 percent.

(2) Digest a portion of the previously anaerobically digested sewage sludge anaerobically in the laboratory in a bench-scale unit for 40 additional days at a temperature between 30 and 37 degrees Celsius. If, at the end of the 40 days, the volatile solids in the sewage sludge at the beginning of that period is reduced by less than 17 percent, ~~VAR~~~~vector attraction reduction~~ is achieved.

(3) Digest a portion of the previously aerobically digested sewage sludge that has ~~two~~2 percent solids or less aerobically in the laboratory in a bench-scale unit for 30 additional days at 20 degrees Celsius. If, at the end of the 30 days, the volatile solids in the sewage sludge at the beginning of that period is reduced by less than 15 percent, ~~VAR~~~~vector attraction reduction~~ is achieved.

(4) The specific oxygen uptake rate (SOUR) for sewage sludge treated in an aerobic process shall be equal to or less than 1.5 milligrams of oxygen per hour per gram of total solids (dry weight basis) at a temperature of 20 degrees Celsius.

(5) Sewage sludge shall be treated in an aerobic process for 14 days or longer. During that time, the ~~sewage sludge~~ temperature of the sewage sludge shall be higher than 40 degrees Celsius and the average ~~sewage sludge~~ temperature of the sewage sludge shall be higher than 45 degrees Celsius.

(6) The ~~pH of~~ sewage sludge pH shall be raised to 12 or higher, measured at 25 degrees Celsius, by alkali addition and, without the addition of more alkali, shall remain at 12 or higher for ~~two~~2 hours and then at 11.5 or higher for an additional 22 hours.

(7) The percent solids of sewage sludge that does not contain unstabilized solids generated in a primary wastewater treatment process shall be equal to or greater than 75 percent based on the moisture content and total solids prior to mixing with other materials.

(8) The percent solids of sewage sludge that contains unstabilized solids generated in a primary wastewater treatment process shall be equal to or greater than 90 percent based on the moisture content and total solids prior to mixing with other materials.

(9) Sewage sludge shall be injected below the ~~land surface~~ surface of the land and no significant amount of the sewage sludge shall be present on the land surface within one hour after ~~the sewage sludge is injectioned~~.

(10) Sewage sludge applied to the land surface or placed on a surface disposal site shall be incorporated into the soil within six hours after application to or placement on the land.

67.7(2) Management practices for Class I sewage sludge. Class I sewage sludge may be land-applied in conformance with the following rules:

a. Class I sewage sludge may be applied to a lawn or a home garden.

b. ~~Class I s~~ewage sludge shall be applied to the land at an annual whole sludge application rate that is equal to or less than the agronomic nitrogen uptake rate, unless otherwise specified by the department.

c. An information sheet shall be provided to ~~the~~ person who receives ~~Class I~~ sewage sludge ~~that is sold~~ or given away in a container for ~~land~~ application ~~to the land~~. The ~~label or~~ information sheet shall contain ~~the following information~~:

Commented [45]: "67.7(2)"c", "An info sheet..." - Existing text; 40 CFR 503.14(e).

(1) The name and address of the sewage sludge generator;

(2) A statement that ~~land~~ application of the sewage sludge ~~to the land~~ is prohibited except in accordance with the instructions on the information sheet; ~~and~~

(3) The annual application rate for the sewage sludge.

67.7(3) Frequency of monitoring frequency for Class I sewage sludge.

a. ~~The frequency of monitoring for~~ The pollutants listed in ~~Table 1~~, the pathogen density requirements, and the ~~VAR~~~~vector attraction reduction~~ requirements shall be ~~monitored at~~ the frequency stated in Table 2.

TABLE 2—~~MONITORING FREQUENCY OF MONITORING~~

Amount of sewage sludge per 365-day period	Monitoring Frequency
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Commented [46]: Table 2-Frequency of Monitoring - Existing text; 40 CFR 503.16, Table 1. English ton conversions are not in the CFR.

CHAPTER 67 EO10 DRAFT - V.2, 11/16/2023

dry weight basis

Greater than 0 but less than 290 metric tons (or 320 English tons)	once per year
Equal to or greater than 290 but less than 1,500 metric tons (320 to 1,653 English tons)	once per quarter (4 times per year)
Equal to or greater than 1,500 but less than 15,000 metric tons (1,653 to 16,535 English tons)	once per 60 days (6 times per year)
Equal to or greater than 15,000 metric tons (or 16,535 English tons)	once per month (12 times per year)

b. After the sewage sludge has been monitored for two years, the department may reduce the monitoring frequency of ~~monitoring~~, but in no case shall the monitoring frequency of ~~monitoring~~ be less than once per year when sewage sludge is land applied ~~to the land~~.

67.7(4) Record keeping for Class I sewage sludge.

a. Both the generator and bulk sludge applicator of Class I sewage sludge shall develop the following information and ~~shall retain it~~ the information for five years:

- (1) The concentration of each pollutant listed in Table 1 in the sewage sludge.
- (2) The following certification statement: "I certify, under penalty of law, that the Class I sewage sludge requirements have been met. I am aware that there are significant penalties for false certification including the possibility of fine and imprisonment."
- (3) A description of how the Processes to Further Reduce Pathogens requirements (PFRP) are met.
- (4) A description of how one of the VAR ~~vector attraction reduction~~ requirements is met.
- (5) A description of how the management practices are met for each site.

b. Treatment works with a design flow rate of 1 million gallons per day or greater and treatment works that serve 10,000 people or more shall submit the above information to the EPA, using EPA's NPDES eReporting Tool (NeT), by February 19 of each year for the previous calendar year.
[ARC 6192C, IAB 2/9/22, effective 3/16/22]

Commented [47]: "67.7(4)"b", "Treatment works with..." - Existing text; 40 CFR 503.18.

567—67.8(455B) Land application requirements for Class II sewage sludge.

67.8(1) Class II sludge criteria. Class II sewage sludge is sewage sludge that meets the pollutant concentrations in paragraph 67.8(1)"a," the pathogen reduction standards in paragraph 67.8(1)"b," and the VAR ~~vector attraction reduction~~ requirements in paragraph 67.8(1)"c" below.

a. *Pollutant concentrations for Class II sewage sludge.* The concentration of any pollutant in the sewage sludge shall not exceed the ceiling concentration for the pollutant in Table 3.

TABLE 3—CEILING CONCENTRATIONS

<u>Pollutant</u>	<u>Ceiling Concentration</u> <u>milligrams per kilogram*</u>
Arsenic	75
Cadmium	85
Copper	4300

Commented [48]: Table 3-Ceiling Concentrations - Existing text. 40 CFR 503.13, Table 1.

CHAPTER 67 EO10 DRAFT - V.2, 11/16/2023

Lead	840
Mercury	57
Molybdenum	75
Nickel	420
Selenium	100
Zinc	7500

*Dry weight basis

b. *Pathogen reduction requirements for Class II sewage sludge.* The sewage sludge shall meet one of the following three alternatives.

(1) Seven samples of the sewage sludge shall be collected at the time the sewage sludge is disposed, and the geometric mean of the ~~density of fecal coliform~~ density shall be less than 2,000,000 Most Probable Number per gram of total solids (dry weight basis);-

(2) Sewage sludge shall be treated in one of the Processes to Significantly Reduce Pathogens (PSRP) described in ~~rule 567—67.11(455B); or-~~

(3) Sewage sludge shall be treated in a process that is equivalent to a ~~Process to Significantly Reduce Pathogens (PSRP)~~, as determined by the department.

c. *Vector attraction reduction (VAR) requirements for Class II sewage sludge.* The Class II VAR requirements are the same as those for Class I sewage sludge in paragraph 67.7(1)“c”. ~~The sewage sludge shall meet one of the following vector attraction reduction requirements.~~

~~(1) The mass of volatile solids in the sewage sludge shall be reduced by a minimum of 38 percent.~~

~~—(2) Digest a portion of the previously anaerobically digested sewage sludge anaerobically in the laboratory in a bench scale unit for 40 additional days at a temperature between 30 and 37 degrees Celsius. If, at the end of the 40 days, the volatile solids in the sewage sludge at the beginning of that period is reduced by less than 17 percent, vector attraction reduction is achieved.~~

~~—(3) Digest a portion of the previously anaerobically digested sewage sludge that has a percent solids of 2 percent or less aerobically in the laboratory in a bench scale unit for 30 additional days at 20 degrees Celsius. If, at the end of the 30 days, the volatile solids in the sewage sludge at the beginning of that period is reduced by less than 15 percent, vector attraction reduction is achieved.~~

~~—(4) The specific oxygen uptake rate (SOUR) for sewage sludge treated in an aerobic process shall be equal to or less than 1.5 milligrams of oxygen per hour per gram of total solids (dry weight basis) at a temperature of 20 degrees Celsius.~~

~~—(5) Sewage sludge shall be treated in an aerobic process for 14 days or longer. During that time, the temperature of the sewage sludge shall be higher than 40 degrees Celsius and the average temperature of the sewage sludge shall be higher than 45 degrees Celsius.~~

~~—(6) The pH of sewage sludge shall be raised to 12 or higher, measured at 25 degrees Celsius, by alkali addition and, without the addition of more alkali, shall remain at 12 or higher for 2 hours and then at 11.5 or higher for an additional 22 hours.~~

~~—(7) The percent solids of sewage sludge that does not contain unstabilized solids generated in a primary wastewater treatment process shall be equal to or greater than 75 percent based on the moisture content and total solids prior to mixing with other materials.~~

~~—(8) The percent solids of sewage sludge that contains unstabilized solids generated in a primary wastewater treatment process shall be equal to or greater than 90 percent based on the moisture content and total solids prior to mixing with other materials.~~

~~—(9) Sewage sludge shall be injected below the surface of the land and no significant amount of the sewage sludge shall be present on the land surface within one hour after the sewage sludge is injected.~~

~~—(10) Sewage sludge applied to the land surface or placed on a surface disposal site shall be incorporated into the soil within six hours after application to or placement on the land.~~

67.8(2) Management practices for Class II sewage sludge. Class II sewage sludge may be land applied in conformance with the following:

a. Class II sewage sludge shall not be applied to a lawn or a home garden.

Commented [49]: 67.8(1)"b"(1), "Seven samples..." - Existing text; 40 CFR 503.32(b)(2).

Commented [50]: 67.8(1)"b"(2), "Sewage sludge..." - Existing text; 40 CFR 503.32(b)(3).

Commented [51]: 67.8(1)"b"(3), "Sewage sludge..." - Existing text; 40 CFR 503.32(b)(4).

Commented [52]: New 67.8(1)"c", "Vector attraction..." - The 10 alternatives for VAR for Class II sludge are the same as for Class I sludge, so this will now reference 67.7(1)"c", the VAR for Class I sewage sludge.

CHAPTER 67 EO10 DRAFT - V.2, 11/16/2023

b. Land application sites accepting Class II sewage sludge not meeting pollutant concentrations listed in **Table 1** of **subrule 67.7(1)** are subject to the cumulative pollutant loading rates listed in Table 4.

TABLE 4—CUMULATIVE POLLUTANT LOADING RATES

Pollutant	Cumulative Pollutant kilograms per hectare	Loading Rate pounds per acre
Arsenic	41	36
Cadmium	39	34
Copper	1500	1335
Lead	300	267
Mercury	17	15
Nickel	420	373
Selenium	100	89
Zinc	2800	2490

Commented [53]: Table 4-Cumulative Pollutant Loading Rates - Existing text; 40 CFR 503.13, Table 2.

c. Sewage sludge shall not be land applied to the land if it is likely to adversely affect a threatened or endangered species listed under section 4 of the Endangered Species Act or its designated critical habitat.

Commented [54]: 67.8(2)"c". "Sewage sludge shall..." - Existing text; 40 CFR 503.14(a).

d. Sewage sludge shall be land applied to the land at an annual whole sludge application rate that is equal to or less than the agronomic nitrogen uptake rate, unless otherwise specified by the department.

Commented [55]: 67.8(2)"d". "Sewage sludge shall..." - Existing text; 40 CFR 503.14(d).

e. ~~The s~~Sewage sludge shall be land applied only to soils classified as acceptable throughout the top five~~5~~ feet of soil profile. ~~The s~~Sewage sludge shall not be applied to soils classified as sand, loamy sand, or~~and~~ silt. The acceptability of a soil shall be determined using the USDA soil classifications.

f. Land application sites shall have soil pH maintained above 6.0, unless (1) crops prefer soils with lower pH conditions, (2) the sludge meets the pollution concentrations contained in **Table 1**, or (3) the site does not exceed calcium carbonate equivalent levels according to sound farm management practices. If the soil pH is below 6.0, ~~it is acceptable to use~~ agricultural lime can be used to increase the pH to an acceptable level.

g. If ~~the~~ sewage sludge is applied to land on which the soil loss exceeds the soil loss limits established by the county soil conservation district, the sewage sludge shall be injected on the contour or shall be applied to the surface and mechanically incorporated into soil within 48 hours of application. ~~The s~~Sewage sludge shall not be applied to ground having greater than nine~~9~~ percent slope unless approved by the department.

h. Sewage sludge application on frozen or snow-covered ground should be avoided, unless special precautions are taken such as proven farm management practices to avoid runoff. If application on frozen or snow-covered ground is necessary, it shall be limited to land areas of less than five~~5~~ percent slope unless otherwise approved by the department.

i. Sewage sludge shall not be applied to ~~the~~ land that is 35 feet or less from an open waterway. If sewage sludge is applied within 200 feet upgradient, but no closer than 35 feet, of a stream, lake, sinkhole, or tile line surface intake ~~located downgradient of the land application site,~~ it shall be injected or applied to the surface and mechanically incorporated into the soil within 48 hours of application, unless otherwise approved by the department.

Commented [56]: "upgradient..." - Reworded for clarity.

j. If ~~the~~ sewage sludge is applied to land subject to flooding more frequently than once in ten years, the sludge shall be injected or shall be applied to the surface and mechanically incorporated into the soil within 48 hours. Information on which land is subject to flooding more frequently than once in ten years is available from the department.

k. Sewage sludge shall not be applied within 200 feet of an occupied residence or any well. Distances may be reduced to a minimum of 35 feet with the written agreement of both the owner and occupant and an approved farm management plan which addresses soil erodibility, harvest residuals, buffer strips, and other sound farm management practices. The farm management plan shall be approved by the local soil conservation district commission in accordance with rules implementing Iowa Code sections 161A.42 to 161A.51.

l. Food crops with harvested parts that touch the sewage sludge/soil mixture and that are totally above the

Commented [57]: 67.8(2)"l", "Food crops..." - Existing text; 40 CFR 503.32(b)(5)(i).

CHAPTER 67 EO10 DRAFT - V.2, 11/16/2023

land surface shall not be harvested for 14 months after sewage sludge application ~~of sewage sludge.~~

m. Food crops, feed crops, and fiber crops shall not be harvested for 30 days after sewage sludge application ~~of sewage sludge.~~

n. Animals shall not be allowed to graze on the land for 30 days after sewage sludge application ~~of sewage sludge.~~

o. Turf grown on land where sewage sludge is applied shall not be harvested for one year after sewage sludge application ~~of the sewage sludge~~ when the harvested turf is placed on either land with a high potential for public exposure or a lawn, unless otherwise specified by the department.

p. Public access to land with a high potential for public exposure shall be restricted for one year after sewage sludge application ~~of sewage sludge.~~

q. Public access to land with a low potential for public exposure shall be restricted for 30 days after sewage sludge application ~~of sewage sludge.~~

r. When required by the director, groundwater monitoring wells and surface monitoring points shall be installed and a monitoring program implemented. Samples must be analyzed by a laboratory which is equipped and competent to perform the tests required by the director. The results shall be forwarded to the department on a stipulated schedule.

s. The sewage sludge generator shall provide ~~the notice and necessary~~ information necessary to comply with the requirements of this chapter to the sewage sludge applicator and landowner.

t. The sewage sludge applicator shall provide written notice to the department, prior to the initial application of sewage sludge, ~~to the department~~. The notice shall include:

(1) The location, by legal description, of the land application site ~~and the landowner, and,~~

(2) The name, address, telephone number, and NPDES ~~National Pollutant Discharge Elimination System~~ permit number (if appropriate) of the landowner, sewage sludge generator, ~~and the~~ applicator.

67.8(3) ~~Frequency of m~~Monitoring frequency for Class II sewage sludge.

a. ~~The frequency of monitoring for t~~The pollutants listed in Table 3, the pathogen density requirements, and the VAR ~~vector attraction reduction~~ requirements shall be monitored at the frequency stated in Table 2.

TABLE 5 - FREQUENCY OF MONITORING

Amount of sewage sludge per 365-day period dry-weight basis	Monitoring Frequency
-	-
Greater than 0 but less than 290 metric tons (or 320 English tons)	once per year
-	-
Equal to or greater than 290 but less than 1,500 metric tons (320 to 1,653 English tons)	once per quarter (4 times per year)
-	-
Equal to or greater than 1,500 but less than 15,000 metric tons (1,653 to 16,535 English tons)	once per 60 days (6 times per year)
-	-
Equal to or greater than 15,000 metric tons (or 16,535 English tons)	once per month (12 times per year)

b. After the sewage sludge has been monitored for two years, the department may reduce the monitoring frequency ~~of monitoring~~, but in no case shall the monitoring frequency ~~of monitoring~~ be less than once per year when sewage sludge is land ~~applied to the land~~.

Commented [58]: 67.8(2)"m", "Food crops..." - Existing text; 40 CFR 503.32(b)(5)(iv).

Commented [59]: 67.8(2)"n", "Animals shall..." - Existing text; 40 CFR 503.32(b)(5)(v).

Commented [60]: 67.8(2)"o", "Turf grown..." - Existing text; 40 CFR 503.32(b)(5)(vi).

Commented [61]: 67.8(2)"p", "Public access..." - Existing text; 40 CFR 503.32(b)(5)(vii).

Commented [62]: 67.8(2)"q", "Public access..." - Existing text; 40 CFR 503.32(b)(5)(viii).

Commented [63]: 67.8(2)"t"(1), "and the landowner..." - moved "landowner" to (2) below.

Commented [64]: Old Table 5, Frequency of Monitoring - This table (5) matches Table 2, the frequency of monitoring for Class I sludge, so Table 5 has been replaced w/ a reference to Table 2.

CHAPTER 67 EO10 DRAFT - V.2, 11/16/2023**67.8(4) Record keeping for Class II sewage sludge.**

a. Both the generator and applicator of Class II sewage sludge shall develop the following information and shall retain the information for five years:

(1) The concentration of each pollutant listed in [Table 3](#) in the sewage sludge.

(2) The following certification statement: "I certify, under penalty of law, that the Class II sewage sludge requirements have been met. I am aware that there are significant penalties for false certification including the possibility of fine and imprisonment."

(3) A description of how the Processes to Significantly Reduce Pathogens (PSRP) requirements are met.

(4) A description of how the [VAR](#) vector attraction reduction requirements are met.

(5) A description of how the management practices for Class II sewage sludge are met for each site.

(6) The location and [surface](#) area of each site.

(7) The date and time [and amount](#) of sewage sludge [applied to application at](#) each site.

(8) If subjected to cumulative loading limits, the amount and cumulative amount of each pollutant listed in [Table 4](#) of [paragraph 67.8\(2\) "b"](#) in the sewage sludge applied to each site.

(9) The amount of sewage sludge (i.e., metric tons) applied to each site.

b. Treatment works with a design flow rate of 1 million gallons per day or greater and treatment works that serve 10,000 people or more shall submit the above information to the EPA, using EPA's NPDES eReporting Tool (NeT), by February 19 of each year for the previous calendar year. In addition, a supplemental sewage sludge report that includes the land application information listed in [subparagraphs 67.8\(4\) "a" \(6\) to \(9\)](#) shall be submitted to the department by the same due date.

[ARC 6192C, IAB 2/9/22, effective 3/16/22]

Commented [65]: 67.8(4)"a"(7), "and amount..." - This is already in 67.8(4)"a"(9).

Commented [66]: "67.8(4)"b", "Treatment works with..." - Existing text; 40 CFR 503.18.

567—67.9(455B) Class III sewage sludge.

67.9(1) Class III sewage sludge is any sewage sludge that cannot meet either Class I [sewage sludge criteria](#) or Class II sewage sludge criteria.

67.9(2) Class III sewage sludge shall not be utilized for beneficial use for land application as specified in the chapter.

67.9(3) Class III sewage sludge shall be disposed according to [the surface disposal subpart of the 40 CFR Part 503, Subpart C - Surface Disposal, regulation and rule 567—103.6\(455B\), or according to the incineration subpart of the 40 CFR Part 503, Subpart E - Incineration regulation.](#)

Commented [67]: 67.9(3), "the surface disposal..." - Existing text; correcting terminology.

567—67.10(455B) Sampling and analytical methods.

67.10(1) General. Representative samples of sewage sludge that are applied to the land shall be collected and analyzed. [The methods and calculation procedures](#) listed below shall be used to analyze samples of sewage sludge and [calculation procedures shall be used](#) to calculate the percent of volatile solids reduction for sewage sludge.

Commented [68]: 67.10, Sampling & analytical methods - Existing text; 40 CFR 503.8.

67.10(2) Enteric viruses. [ASTM D4994-19, "Standard Practice for Recovery of Viruses From Wastewater Sludges," ASTM International, West Conshohocken, PA, 2019, www.astm.org. 40 CFR § 503.8\(b\)\(1\) is adopted by reference.](#)

Commented [69]: 67.10(1), "The methods and..." - Simplifying text.

67.10(3) Fecal coliform. [40 CFR § 503.8\(b\)\(2\) is adopted by reference, SM 9221-E-2011 or SM 9222-D-2011, "Standard Methods for the Examination of Water and Wastewater," American Public Health Association, Washington, D.C.;](#)

Commented [70]: New 67.10(2), Enteric viruses - Matches 40 CFR 503.8(b)(1); replace text w/ CFR reference.

[b. EPA Method 1680: Fecal Coliforms in Sewage Sludge \(Biosolids\) by Multiple-Tube Fermentation using Lauryl Tryptose Broth \(LBT\) and EC Medium, EPA-821-R-14-009, September 2014.;](#)

Commented [71]: New 67.10(3)"a", Fecal coliform - Matches 40 CFR 503.8(b)(2); replace text w/ CFR reference.

[c. EPA Method 1681: Fecal Coliforms in Sewage Sludge \(Biosolids\) by Multiple-Tube Fermentation using A-1 medium, EPA-821-R-06-013, July 2006.](#)

67.10(4) Helminth ova. [40 CFR § 503.8\(b\)\(3\) is adopted by reference, Yanko, W., "Occurrence of Pathogens in Distribution and Marketing Municipal Sludges," U.S. Environmental Protection Agency, Washington, D.C., EPA/600/1-87/014 \(NTIS PB88-154273\), 1988.](#)

Commented [72]: New 67.10(4), Helminth ova - Matches 40 CFR 503.8(b)(3); replace text w/ CFR reference.

67.10(5) Inorganic pollutants.

a. **Metals.** [40 CFR § 503.8\(b\)\(4\) is adopted by reference, "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods," EPA Publication SW 846, 3rd Edition, Final Updates V \(2015\), www.epa.gov/hw-sw846/sw-846-compendium.](#)

Commented [73]: New 67.10(5)"a", Metals - Matches 40 CFR 503.8(b)(4); replace text w/ CFR reference.

CHAPTER 67 EO10 DRAFT - V.2, 11/16/2023

b. *Nonmetals.* For nonmetals not identified elsewhere in this chapter, methods approved at [40 CFR Part 136, as amended through August 28, 2017.](#)

67.10(6) *Salmonella sp. bacteria.*

[40 CFR § 503.8\(b\)\(5\) is adopted by reference.](#)

b. [SM 9260 B 2011, "Standard Methods for the Examination of Water and Wastewater," American Public Health Association, Washington, D.C.; EPA Method 1682: *Salmonella* in Sewage Sludge \(Biosolids\) by Modified Semisolid Rappaport-Vassiliadis \(MSRV\) Medium, EPA-821-R-06-14, July 2006; or Kenner, B.A. and H.P. Clark, "Detection and Enumeration of *Salmonella* and *Pseudomonas aeruginosa*," *J. Water Pollution Control Federation*, 46\(9\):2163-2171, 1974.](#)

67.10(7) *Specific oxygen uptake rate.* [40 CFR § 503.8\(b\)\(6\) is adopted by reference.](#) [SM 2710 B 2011, "Standard Methods for the Examination of Water and Wastewater," American Public Health Association, Washington, D.C.](#)

67.10(8) *Total, fixed, and volatile solids.* [40 CFR § 503.8\(b\)\(7\) is adopted by reference.](#) [SM 2540 G 2011, "Standard Methods for the Examination of Water and Wastewater," American Public Health Association, Washington, D.C.](#)

67.10(9) *Percent volatile solids reduction calculation.* "Environmental Regulations and Technology - Control of Pathogens and Vectors in Sewage Sludge," EPA-625/R-92/013, July 2003. [ARC 6192C, IAB 2/9/22, effective 3/16/22]

Commented [74]: New 67.10(6)"a", 40 CFR reference - replacing 1st & 3rd methods in old 67.10(6) w/ CFR reference.

Commented [75]: New 67.10(6)"b" - Contains the existing salmonella method reference that is not in the CFR.

Commented [76]: New 67.10(7), "Specific oxygen..." - Matches 40 CFR 503.8(b)(6); replace text w/ CFR reference.

Commented [77]: New 67.10(8), "Total, fixed..." - Matches 40 CFR 503.8(b)(7); replace text w/ CFR reference.

567—67.11(455B) Pathogen treatment processes.

67.11(1) [40 CFR Part 503, Appendix B, section A.](#) Processes to **S**ignificantly **R**educe **P**athogens (PSRP), [is adopted by reference.](#)

a. Aerobic digestion. Sewage sludge is agitated with air or oxygen to maintain aerobic conditions for a specific mean cell residence time at a specific temperature. Values for the mean cell residence time and temperature shall be between 40 days at 20 degrees Celsius and 60 days at 15 degrees Celsius.

b. Air drying. Sewage sludge is dried on sand beds or on paved or unpaved basins. The sewage sludge dries for a minimum of three months. During two of the three months, the ambient average daily temperature is above zero degrees Celsius.

c. Anaerobic digestion. Sewage sludge is treated in the absence of air for a specific mean cell residence time at a specific temperature. Values for the mean cell residence time and temperature shall be between 15 days at 35 to 55 degrees Celsius and 60 days at 20 degrees Celsius.

d. Composting. Using either the within vessel, static aerated pile, or windrow composting methods, the temperature of the sewage sludge is raised to 40 degrees Celsius or higher and remains at 40 degrees Celsius or higher for five days. For four hours during the five days, the temperature in the compost pile exceeds 55 degrees Celsius.

e. Lime stabilization. Sufficient lime is added to the sewage sludge to raise the pH of the sewage sludge to 12 after two hours of contact.

67.11(2) [40 CFR Part 503, Appendix B section B.](#) Processes to **F**urther **R**educe **P**athogens (PFRP), [is adopted by reference.](#)

a. Composting. Using either the within vessel composting method or the static aerated pile composting method, the temperature of the sewage sludge is maintained at 55 degrees Celsius or higher for three days.

Using the windrow composting method, the temperature of the sewage sludge is maintained at 55 degrees Celsius or higher for 15 days or longer. During the period when the compost is maintained at 55 degrees Celsius or higher, there shall be a minimum of five turnings of the windrow.

b. Heat drying. Sewage sludge is dried by direct or indirect contact with hot gases to reduce the moisture content of the sewage sludge to 10 percent or lower. Either the temperature of the sewage sludge particles exceeds 80 degrees Celsius or the wet bulb temperature of the gas in contact with the sewage sludge as the sewage sludge leaves the dryer exceeds 80 degrees Celsius.

c. Heat treatment. Liquid sewage sludge is heated to a temperature of 180 degrees Celsius or higher for 30 minutes.

d. Thermophilic aerobic digestion. Liquid sewage sludge is agitated with air or oxygen to maintain aerobic conditions and the mean cell residence time of the sewage sludge is ten days at 55 to 60 degrees Celsius.

e. Beta ray irradiation. Sewage sludge is irradiated with beta rays from an accelerator at dosages of at least

Commented [78]: New 67.11(1), PSRP - Matches 40 CFR Part 503, Appendix B, section A. Replace w/ CFR reference.

Commented [79]: New 67.11(2), PFRP - Matches 40 CFR Part 503, Appendix B, section B. Replace w/ CFR reference.

CHAPTER 67 EO10 DRAFT - V.2, 11/16/2023

~~1.0 megarad at room temperature (ca. 20 degrees Celsius).~~

~~f. *Gamma ray irradiation.* Sewage sludge is irradiated with gamma rays from certain isotopes, such as Cobalt 60 and Cesium 137, at room temperature (ca. 20 degrees Celsius).~~

~~g. *Pasteurization.* The temperature of the sewage sludge is maintained at 70 degrees Celsius or higher for 30 minutes or longer.~~

[ARC 6192C, IAB 2/9/22, effective 3/16/22]

These rules are intended to implement **Iowa Code section 455B.174.**

[Filed 7/29/94, Notice 3/16/94—published 8/17/94, effective 9/21/94]

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[Filed ARC 2482C (Notice ARC 2353C, IAB 1/6/16), IAB 4/13/16, effective 5/18/16]

[Filed ARC 6192C (Notice ARC 6038C, IAB 11/17/21), IAB 2/9/22, effective 3/16/22]