

required to supply information on their practices.

Section 503.24(n)(2) requires surface disposal sites to demonstrate by way of a ground-water monitoring program or certification that sludge placed on an active sewage sludge unit does not contaminate the underlying aquifer. In order to ensure that this requirement is implemented, paragraph (K) of proposed § 122.21(q)(10)(iii) would request information on ground-water monitoring programs or certifications. Because many communities rely on ground water as a source of drinking water, EPA believes that this information is necessary to protect public health and the environment.

After August 18, 1993, only surface disposal sites showing good cause may apply for site-specific pollutant limits. Paragraph (L) of proposed § 122.21(q)(10)(iii) would request the information necessary for the permit writer to determine whether such site-specific limits are warranted. This information would include a demonstration that the values for site parameters at the applicant's site differ from those used to develop the surface disposal pollutant limits in Part 503.

#### 11. Incineration

Proposed § 122.21(q)(11) would request information on sewage sludge that is fired in a sewage sludge incinerator. According to § 503.41(k), a sewage sludge incinerator is "an enclosed device in which only sewage sludge and auxiliary fuel are fired." A sewage sludge incinerator is a TWTDS and is required to submit a full permit application.

Paragraph (i) of proposed § 122.21(q)(11) would clarify the existing requirement at § 501.15(a)(2)(x) which tells the applicant to report annual sludge production volume. Paragraph (ii) of proposed § 122.21(q)(11) would require that the applicant provide the name or identifying number, address, telephone number, and amount of sewage sludge fired in each sewage sludge incinerator that the applicant does not own or operate. This paragraph would clarify existing requirements at § 501.15(a)(2)(viii). EPA believes that this information is necessary in order to ensure that the permit is issued to the correct party.

Paragraph (iii) of proposed § 122.21(q)(11) would request detailed information on each sewage sludge incinerator that the applicant owns or operates. Paragraph (B) of proposed paragraph (iii) would request the total amount of sewage sludge fired annually in each incinerator. This information is

necessary because the monitoring requirements for sewage sludge incinerators are based on the total amount fired.

Paragraphs (C) and (D) of proposed § 122.21(q)(11)(iii) would request information on compliance with the beryllium and mercury National Emissions Standards for Hazardous Air Pollutants (NESHAPs). Section 503.43 paragraphs (a) and (b) require compliance with these standards through a cross-reference to 40 CFR Part 61 subparts C and E. If the incinerator is required to perform stack testing, these paragraphs would require the applicant to submit a report of that testing.

Under § 503.43, the pollutant limits applicable to each sewage sludge incinerator are calculated based on factors unique to each incinerator. Paragraphs (E), (F), and (G) of proposed § 122.21(q)(11)(iii) would require each applicant to submit these factors for their incinerator(s). Calculating pollutant limits on an individual basis allows the actual performance of each incinerator and actual site conditions, such as topography, to be taken into account. EPA believes that this is more appropriate than mandating national pollutant limitations for sewage sludge incinerators.

In the development of Part 503, EPA determined that it would be infeasible to establish individual limits for each hydrocarbon in sewage sludge incinerator exit gas. Instead, the Agency adopted a 100 ppm total hydrocarbon (THC) limit and required continuous THC monitoring to show compliance. Part 503 was amended, on February 25, 1994 (59 FR 9095), to allow sewage sludge incinerators whose exit gas does not exceed 100 ppm carbon monoxide (CO) to show compliance with the THC operational standard by monitoring CO instead of THC. Paragraphs (H), (I), and (J) of proposed § 122.21(q)(11)(iii) would request the incinerator information necessary to establish the correct hydrocarbon monitoring requirements.

Many of the incinerator's site-specific factors that are used to calculate pollutant limits and compliance with the operational standard are highly dependent on the temperature at which the incinerator is operated and the rate at which sewage sludge is fed into the incinerator. For most incinerators, these parameters are determined during an initial performance test. In order to appropriately calculate pollutant limits and ensure appropriate pollutant limits and that the incinerator is operated within the parameters of the original performance test, EPA needs to know the information in paragraphs (K)

through (O) of proposed § 122.21(q)(11)(iii).

Paragraphs (P) and (Q) of proposed § 122.21(q)(11)(iii) would request information on the monitoring equipment and air pollution control devices installed on the incinerator. Information on this equipment is necessary to ensure that the facility complies with the management practices at § 503.45.

#### 12. Disposal in a Municipal Solid Waste Landfill

Proposed § 122.21(q)(12) would request information on sewage sludge that is sent to a municipal solid waste landfill (MSWLF). Section 503.4 states that sewage sludge sent to a MSWLF that complies with the requirements in 40 CFR Part 258 constitutes compliance with sec. 405(d) of the CWA. The questions in § 122.21(q)(12) are necessary to ensure the availability of accurate information about a MSWLF and the sewage sludge that is sent there.

Paragraphs (i) and (ii) of proposed § 122.21(q)(12) would clarify existing requirements at § 501.15(a)(2)(v), (viii), and (x) that request information on other permits, the location of disposal sites, and the annual sludge production volume. Paragraph (iii) would request information on the sewage sludge quality to ensure that it is acceptable for a MSWLF. Paragraph (iv) would request available information on whether the MSWLF is in compliance with Part 258.

#### 13. Contractors

Proposed § 122.21(q)(13) would require the applicant to provide contractor information. The applicant would be required to identify all contractors responsible for any operation or maintenance aspects of the TWTDS, and specify their responsibilities. The permitting authority uses this information to determine who has primary responsibility for the operation and maintenance of the TWTDS.

#### 14. Other Information

Proposed § 122.21(q)(14) would require the applicant to report any information necessary to determine the appropriate standards for permitting under 40 CFR Part 503, and any other information the permitting authority may request and reasonably require to assess the sewage sludge use and disposal practices, to determine whether to issue a permit, or to identify appropriate permit requirements. This paragraph restates the existing requirements in § 501.15(a)(2)(xi) and (xii).