



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



STEVEN E. CHESTER
DIRECTOR

**Agricultural Use Approval #05-AUA-001
for
Lime Sludges from Public Water Treatment Plants**

In accordance with the provisions of Section 11506(1)(g) of Part 115, Solid Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA), and specifically R 299.4111 of the administrative rules promulgated under Part 115, an agricultural use approval is granted by the Director of the Michigan Department of Environmental Quality (MDEQ) or the authorized representative of the Director for lime sludges generated from softening potable water (Material) at Public Water Treatment Plants (Generator).

This approval is subject to the following conditions:

1. This approval amends and replaces the Agricultural Use Approval #92-A-001 issued on May 8, 1992.
2. This approval only applies to lime sludges and does not apply to other types of treatment plant sludges that contain alum, ferrous sulfate, ferric chloride, etc.
3. The Material may be applied only to agricultural or silvicultural lands that need pH adjustment as demonstrated by laboratory soil tests that are currently in use or that will be used for crops in the next growing season. Prior to application, the Generator shall ensure that the soil sampling and testing is done to determine the appropriate rate required for proper pH adjustment.
4. The Material shall be licensed with the Michigan Department of Agriculture pursuant to the Michigan Liming Materials Law, 1955 PA 162, as amended, as a "liming material."
5. The Generator shall ensure that all persons involved with the land application of the Material comply with the conditions of this approval.
6. The staging or use of the Material shall be done in a manner that does not violate any local, state, or federal law, statute, or ordinance.
7. The Material shall be applied at a distance greater than 75 feet from surface waters, drinking water wells, or residences.
8. The Generator shall ensure that appropriate, calibrated equipment is used to apply the Material to ensure accurate and uniform distribution.

9. The Material shall be incorporated into the soil as soon as feasible following application to ensure maximum benefit for soil neutralization. This condition does not apply to applications of the Material on established forage stands or fields managed under no-till cropping conditions.
10. The Material shall not be applied in a manner that adversely restricts soil permeability.
11. Vehicles used to transport the Material shall comply with the Michigan Vehicle Code, 1949 PA 300, as amended (MVC), or the rules promulgated under the MVC. The Material shall be covered or sufficiently contained to prevent loss to the environment during transport and delivery to the application site.
12. The Material shall only be staged or stockpiled at or on the field application sites. Material staged in fields prior to land application shall be placed in locations that adhere to the isolation distance specified in Condition 7. All Material must be used at the site as agricultural lime within the calendar year. Any remaining Material must be removed and disposed of at a properly licensed solid waste disposal facility.
13. Appropriate measures shall be taken to prevent runoff and sedimentation to surface waters in accordance with Part 91, Soil Erosion and Sedimentation Control, of the NREPA, or the rules promulgated under Part 91.
14. Staging, transportation, and use of the Material shall not cause visible emissions as defined by Part 55, Air Pollution Control, of the NREPA, or the rules promulgated under Part 55.
15. The Material shall not come into direct contact with surface water or groundwater or be placed in a 100-year flood plain or wetland area as defined by Part 115.
16. The Generator shall maintain records on the amount of Material applied at each site and the address and legal property description of each site used. The Generator shall maintain all records for four years after the Material was last applied and shall be made available for review by the Director, or the Director's authorized representative, upon request.
17. This approval does not apply to Material mixed with other wastes that are not inert as defined by Part 115.
18. Every Generator that intends to utilize this approval shall notify the Chief of the MDEQ, Waste and Hazardous Materials Division, on the form provided in Appendix A, prior to operating. This form includes a certification statement that the Generator understands and will comply with all of the conditions of the approval.

19. This approval does not preclude the Generator from disposing of the Material in accordance with Part 115 at a properly licensed solid waste disposal facility or at an out-of-state facility in accordance with that state's waste disposal regulations.

20. In the event that the Material is determined by the MDEQ to pose unacceptable risks to public health, safety, welfare, or the environment, a person responsible for the placement or disposal of those Materials shall remain liable for the performance of response activities and response activity costs as provided by Part 201, Environmental Remediation, of the NREPA.

21. This approval shall immediately become void for any of the following reasons:
 - a. The Generator does not comply with the conditions of this approval
 - b. Additional information demonstrates the Material is not appropriate for agricultural or silvicultural use.
 - c. Additional information demonstrates the Material is causing environmental contamination.
 - d. New state or federal regulations are promulgated that would cause this approval to be invalid.

22. Violation of the conditions of this approval will cause this approval to become immediately invalid and is subject to the enforcement provisions of Part 55, Part 91, Part 115, and Part 201 or other applicable state and federal laws/statutes.

STATE OF MICHIGAN
Department of Environmental Quality

By: 
George W. Bruchmann, Chief
Waste and Hazardous Materials Division

Dated: 7/5/05

Attachment

**AGRICULTURAL USE APPROVAL #05-AUA-001
APPENDIX A
FACILITY CERTIFICATION FORM**

PART A – Facility Information

Facility Name:

Mailing Address:

Contact Person:

Phone number:

Expected Startup Date:

County:

Expected Completion Date:

PART B – Description of Operation

Briefly describe methods of collection, processing, end product usage, and methods of land application of lime residuals (Attach additional sheets as necessary)

Briefly describe contingency plans for proper management of lime residuals if the facility unexpectedly is unable to comply with the conditions of this designation (Attach additional sheets as necessary)

PART C – Certification

I CERTIFY, UNDER PENALTY OF LAW, THAT I READ AND UNDERSTAND MY OBLIGATIONS RELATING TO THE CONDITIONS CONTAINED IN THE AGRICULTURAL USE APPROVAL #05-AUA-001.

Signature	Date
Print or type name of person signing	Signer's Title