Permitting a Sludge Facility in New Hampshire

What is a Sludge Facility?

The New Hampshire Department of Environmental Services defines sludge as the solid or semisolid material produced by a water and wastewater treatment process. Sludge also includes industrial sludge and sludge mixed with another sludge or another material. This definition excludes domestic septage (see fact sheet WD-WEB-13 Permitting a Septage Facility in New Hampshire). Further, sludge that is disposed at a solid waste facility permitted by the DES shall be considered solid waste and regulated under RSA 149-M. DES defines sludge facility as a location or system for storing sludge for longer than eight months, or for the processing, treatment, or disposal of sludge, other than land application. Facilities include, but are not limited to, lagoons, sludge treatment facilities, sludge monofills, transfer stations, soil manufacturing, composting, and sites where sludge is treated or mixed with other sludge or other material for shipment off site.

According to Env-Wq 804.02, of the New Hampshire Sludge Management Rules, no person shall manage sludge at any place that does not have a site or facility permit issued in accordance with Env-Wq 800, a wastewater treatment facility permit or groundwater permit issued under RSA 485, or a solid waste facility permit issued under RSA 149-M (see fact sheet WD-WEB-17 Permitting a Biosolids and/or Short Paper Fiber Site in New Hampshire). The person proposing to undertake sludge management activities at a facility shall apply for a facility permit through the DES Wastewater Engineering Bureau.

Why Permit a Sludge Facility?

As population and businesses increase in New Hampshire, so does the volume of wastewater that must be processed, both at municipal wastewater treatment facilities and industrial wastewater treatment facilities. There are several options available to dispose of the sludge produced by these facilities, including landfilling, incineration, land application, or transfer out-of-state. DES has determined that sludges treated in accordance with the applicable provisions of the Sludge Management Rules and USEPA 40 CFR Part 503 regulations can be beneficially reused as a soil conditioner and fertilizer. Other than treatment that is done at the wastewater treatment facility, management of sludge (e.g., composting) must be done at a facility permitted under Env-Wq 800.
What is the Procedure for Permitting a Sludge Facility?

A facility permit application must be completed, including all attachments, signatures and public notifications, and submitted to DES. The required information includes, but is not limited to:

- Applicant and applicant’s business information.
- Information about the location of the proposed facility.
- Who will be operating the facility and when.
- Types of sludge management activities being proposed at the facility.
- A Facility Plan prepared in accordance with Env-Wq 808.06.
- A Management Plan prepared in accordance with Env-Wq 808.07.
- A Closure Plan prepared in accordance with Env-Wq 808.09.
- A statement signed by the applicant certifying:
  - The applicant has complied with the notification requirements of Env-Wq 803.01.
  - All operators of the facility have been instructed regarding the requirements of Env-Wq 800 or shall be instructed prior to working at the facility.
  - A copy of the application has been given to the governing body of the municipality in which the activity is proposed to occur.
  - The information submitted is accurate.

All sludge facilities must be designed and operated in accordance with the Facility Standards in Env-Wq 808.08.

Each application shall be signed by the applicant, submitted in duplicate, and accompanied by the applicable fee specified in Env-Wq 808.04. Once a sludge facility permit application is considered complete, the DES will notify the applicant and a public hearing will be arranged. Public notice of the hearing shall appear in a local paper no sooner than 30 days prior to the scheduled hearing. Following the hearing, DES shall then issue a facility permit if it meets criteria specified in Env-Wq 808.05.

How Do You Obtain a Sludge Facility Permit Application?

Sludge facility applications can be obtained by visiting the DES website at www.des.nh.gov/wwe/septslud.htm or the Sludge Management Rules, Env-Wq 800, can be downloaded at www.des.nh.gov/rules/desadmin_list.htm or by calling the DES Residuals Management Section at (603) 271-7888.