
ENVIRONMENTAL Fact Sheet



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Permitting a Sludge Facility in New Hampshire

What is a Sludge Facility?

The New Hampshire Department of Environmental Services (NHDES) Administrative Rules Env-Wq 802.43 defines sludge as: “the solid or semisolid material produced by a water and wastewater treatment processes, excluding domestic septage; provided, however, sludge which is disposed of at solid waste facilities permitted by the department shall be considered solid waste. This includes industrial sludge and sludge mixed with another sludge or another material.”

A *sludge facility* is defined in Env-Wq 802.17 as: “a location or system for storing sludge for longer than 8 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, sludge transfer stations, and locations where sludge is treated or mixed with other sludge or other material for shipment off site...” Other types of sludge facilities involve the use of treated sludge for soil and compost manufacturing.

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 for beneficial use; or transfer out-of-state. Treating and land applying sludge/biosolids involves the recycling of nutrients and other beneficial organic matter, which increases sustainability of soil fertility in New Hampshire. Biosolids are “any sludge derived from a sewage wastewater treatment facility that meets the standards for beneficial reuse specified by the department.” Land application of sludge/biosolids must be at agronomic rates (not in excess of annual plant/crop nutrient requirements).

Sludge treatment is typically performed by the generator of the sludge, but further stabilization may be required to meet the federal and state regulations (e.g. composting) at a permitted Sludge Facility for the sludge to receive a NHDES *Sludge Quality Certification (SQC)* per Env-Wq 809 for sludge / biosolids land application.

When is a Sludge Facility Permit needed?

The person or entity proposing to undertake sludge management activities at their own facility shall apply for and receive a *Sludge Facility Permit* through NHDES’ Wastewater Engineering Bureau. The permit application process requires the applicant to provide: sludge facility plans and specifications; describe the proposed facility, including the intended capacity and facility life, the disposition of the sludge managed, and whether Sludge Quality Certification (SQC) for land application will be sought. The application process also requires the applicant

to evaluate the facility location for suitability, including determining: existing soils characteristics; proximity to surface waters, threatened or endangered species, designated rivers, groundwater protection areas, and other sensitive receptors and surrounding land uses.

The *Sludge Facility Permit* applicant must also provide a Sludge Facility Management Plan. This plan describes: the proposed treatment, stockpiling and storage provisions; the quantity of sludge expected to be received/managed annually; on-site measures to control vectors; an odor control plan; a contingency plan; a closure plan; etc. In accordance with Env-Wq 808, sludge facilities are also required to monitor groundwater up and downgradient of the facility operations on a regular basis, to assure sludge activities do not adversely impact protected groundwater or surface waters. The Sludge Facility Management Plan must also include a Groundwater Monitoring Plan for NHDES review and approval.

If a *Sludge Facility Permit* is issued by NHDES, the permit holder must adhere to very specific federal and state regulations and standards, best management practices, groundwater monitoring, and permit conditions that protect human health and the environment, and meet annual reporting requirements.

Are there facilities exempt from a Sludge Facility Permit?

The Sludge Management Rules are not applicable to most sources because they are conducting activities “incidental to their operation” and are permitted under separate authority. These include wastewater treatment facilities (permitted under RSA 485-A); water treatment facilities (permitted under RSA 485:8) and Solid Waste facilities (permitted under RSA 149-M). However, activities are no longer considered incidental as soon as sludge management occurs outside of the facility area or if the materials are being disposed of on-site in a sludge mono-fill or disposed of in an on-site lagoon. In these circumstances facilities are subject to Sludge Management Rules and will need to seek a Sludge Facility Permit. Facilities permitted under separate authority must obtain a *Sludge Facility Permit* if their other permit expires (and is not renewed) or is terminated for any reason.

How do I obtain additional information?

Additional information related to septage and sludge can be found at the [NHDES Wastewater Engineering Residuals Management](#) page, including the [Sludge Management Rules, Env-Wq 800](#), the [Sludge Quality Certification \(SQC\) Fact Sheet](#) and the [Sludge Facility Application Form](#). You may also contact us via email at: SludgeandSeptage@des.nh.gov.