



## AMENDMENTS TO FINAL SEWAGE SLUDGE USE AND DISPOSAL RULE

On November 25, 1992, EPA promulgated the Sewage Sludge Use and Disposal Rule to protect human health and the environment pursuant to Section 405 (d) and Section 405(e) of the Clean Water Act (58 Federal Register 9248, February 19, 1993). Since this rule was published, ten litigants have filed petitions requesting review of ten critical issues relevant to the final Rule. EPA's Office of Water has reviewed the issues raised by the litigants and has determined that further review is warranted for two of the issues: (1) the scientific basis for the molybdenum standards for land application, and (2) the requirement for certain incinerators to continuously monitor incinerator emissions for total hydrocarbons (THC).

### PROCEDURAL REQUIREMENTS

Section 553 of the Administrative Procedures Act provides that when an agency for good cause finds that notice and public procedure are impracticable, unnecessary or contrary to the public interest, it may issue a rule without providing notice and comment and make the rule effective immediately (5 U.S.C. 553).

### BACKGROUND

The U. S. Environmental Protection Agency is promulgating amendments to the final Sewage Sludge Use and Disposal Rule (40 CFR Part 503) under the authority of sections 405(d) and 405(e) of the Clean Water Act. Section 405(d) requires EPA to establish sewage sludge use and disposal standards for the toxic pollutants in sewage sludge adequate to protect public health and the environment against reasonably anticipated adverse effects of these pollutants. Section 405(e) prohibits any person from disposing of sludge from a

publicly-owned treatment works or other treatment works treating domestic sewage except in compliance with the section 405 regulations.

### SUMMARY OF NOTICE

The Notice deletes the pollutant limits (i.e., the cumulative pollutant loading rate, the pollutant concentration, and the annual pollutant loading rate) for molybdenum until EPA completes a reevaluation of the issue. This reevaluation will include an analysis of information that was received from the litigants as well as other information that has been obtained by the Agency.

Based on an initial review of the information, it appears that the current molybdenum limits for land application may be too stringent. EPA expects to propose new molybdenum limits in the near future. The rule does not affect the ceiling value for molybdenum.

The Notice also modifies the applicability of the continuous monitoring

requirements for total hydrocarbons for certain incinerators. The current Part 503 Rule requires operators of sewage sludge incinerators to continuously monitor incinerator emissions for THC to ensure compliance with the 100 ppm THC operational standard.

The Notice amends the applicability of this requirement for sludge incinerators if the incinerator is complying with a monthly average carbon monoxide (CO) emissions limit of 100 ppm and is complying with continuous CO monitoring requirements. Based on a preliminary evaluation, the Agency believes that if such facilities are meeting the 100 ppm CO level, the likelihood is substantial that these facilities are meeting the THC operational standard.

This action provides some relief to the operators of these incinerators who otherwise would have to invest in equipment to continuously monitor for THC in addition to CO. EPA may further amend the Part 503 regulation after additional evaluation of this issue.

Copies of the final rule containing the amendments to Part 503 may be obtained from the address below:

U.S. Environmental Protection Agency  
Water Resource Center  
(Mail Code RC-4100)  
401 M Street, S.W.  
Washington, D.C. 20460  
202-260-7786

For further information please contact:

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