

**ARTICLE 42**  
**LAND APPLICATION OF SEWAGE SLUDGE**  
*(As a conditional Use within the Agricultural District)*

**SECTION 4201 APPLICATION REQUIREMENTS**

- A. Application for all sludge disposal sites shall be accompanied by all comments and recommendations concerning the submitted Site Plan and Management Plan for the proposed site by the local office of the OEPA with reference to compliance with all requirements of Part 503 of Chapter 40 of the Code of federal Regulations, as amended - "Standards for the Use and Disposal of Sewage Sludge".

In this regard, Chapter 3745-31 of the Ohio Revised Code states that "any person that causes, permits or allows land application of sludge must submit and obtain approval (from the Ohio EPA of detail plans.) It also requires that the approval must describe the type, character and composition of such sludge and specifically designate the method, terms and conditions of its application. Ohio EPA's Land Application of Sludge Manual is used as a guide for development, review and approval of such plans.

- B. Such information shall also be submitted to the Montgomery County Engineer, the Soil and Water Conservation District and Combined Health and Environmental Services of Montgomery County with respective comments and recommendations included within the submission.
- C. The application shall also include a map depicting the site itself, as well as the roads within Jackson Township, which the sludge trucks would use to and from the site, Days of delivery, and times of delivery. Such routes should be submitted to the Montgomery County Traffic Engineer for review and comments.

**SECTION 4202 SITE LOCATION CRITERIA**

- A. In addition to meeting all site requirements as contained in Ohio EPA's Land Application of Sludge Manual", proposed application area shall be located a minimum of 500 feet from residentially zoned land and/or existing residence unless a notarized waiver is signed by the affected party or parties.

**SECTION 4203 OPERATIONAL CRITERIA**

- A. Performance of the sludge application activity shall be done in strict compliance with the Operational Plan as approved by OEPA. Failure to do so will result in a notice of violation of the conditions stipulated for Conditional Use approval by Jackson Township.
- B. Storage and Stockpiling at site/field with concern for one of the most potentially troublesome aspects of sludge application, the following citations from OEPA's "Land Application of Storage Manual" are provided as reference for the expected operational compliance with Conditional Approval:

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1. Sludge should not be stockpiled at the application site for more

than 30 days. Alternatively, up to 90 days may be permitted if the generator or preparer can demonstrate that due to stability and treatment, no nuisance odors will occur, and appropriate measures will be taken to ensure that no leachate will be generated. The District Office of Ohio EPA may impose a “No Stockpiling” requirement, or a lesser time for stockpiling, if deemed necessary to minimize the chance for nuisance conditions to develop.

2. Stockpiles should not be located in areas such a low-lying wet areas, swales, or drainage ways. Runoff should be diverted around the stockpile area. Stockpiles should be situated where runoff may not enter adjacent properties.
3. Stockpiles should be located at least:
  - a.) 500 ft. from neighbor-occupied buildings
  - b.) 500 ft. from wells and ponds used for drinking water or watering livestock
  - c.) 100 ft. from surface waters of the State
4. Plans for sludge which may generate nuisance (including odor) complaints when stockpiling should include the following provisions:
  - a.) If nuisance conditions develop, the Ohio EPA will ask the supplier to abate the problem within 30 days or less, and/or to immediately cease application, or distribution to the applicier. Application, or distribution to the applicier, may resume upon notice to and acceptance by Ohio EPA that sufficient steps have been taken to prevent a recurrence of the problem.
  - b.) Stockpiles should be protected from erosion and ponding. Soil conditions, slope and ground cover should be reviewed to assure proper drainage.
  - c.) Areas where stockpiles were located should be properly cleaned/tilled to assure that no residual odor problems or ponding occurs.