

received in water Docket
FEB 22 2000

W-99-18
SS Rd II - Pro
I-EI.08



DEPARTMENT OF THE NAVY
OFFICE OF THE ASSISTANT SECRETARY
(INSTALLATIONS AND ENVIRONMENT)
1000 NAVY PENTAGON
WASHINGTON, D.C. 20350-1000

FEB 22 2000

Docket Number W-99-18
Comment Clerk for the Part 503 Sewage Sludge
Use or Disposal Rule
Water Docket (MC-4101)
U.S. Environmental Protection Agency
401 M Street, SW
Washington, DC 20460

Re: PROPOSED STANDARDS FOR THE USE OR DISPOSAL OF SEWAGE
SLUDGE; 64 FR 72045 (23 DECEMBER 1999)

Dear Sir/Madam:

This letter forwards comments from the Clean Water Act Services Steering Committee (CWASSC) on the proposed standards for the use or disposal of sewage sludge published by the Environmental Protection Agency (EPA) in the Federal Register on December 23, 1999. The CWASSC is composed of representatives of the Departments of the Navy, Air Force, and Army, as well as several other Department of Defense components.

The purpose of the proposed rule is to protect public health and the environment by establishing a standard for dioxins in sewage sludge that is applied to land. Section 503.10 of the proposed rule provides an exclusion from the numeric limit and monitoring requirements for: (1) Treatment works that treat domestic sewage with a flow rate equal to or less than one million gallons per day (MGD); or (2) A person who prepares sewage sludge or derives a material from the sewage sludge in an amount equal to or less than 290 dry metric tons per year. This exclusion is obviously based on the low risk associated with the relatively small amount of sewage sludge being applied under those circumstances.

The CWASSC is concerned that some military facilities may not fit the exact definition of the proposed rule's exclusion for sludge preparers or receivers, even though the military facility produces the same de minimus amount of 290 dry metric tons or less of sewage sludge annually. The exclusion allows sludge-only entities that prepare or receive for further processing, 290 dry metric tons or less of sewage sludge annually for land application to be excluded from the dioxin numeric limits and monitoring requirements. Treatment facilities are only excluded if they have a flow rate of less than one MGD. If a military facility has a flow of more than one MGD but produces less than 290 dry metric tons or less of sewage sludge, it is unclear as to whether they are excluded from the rule's applicability because of the phrasing between the exemption categories.

We believe that a "treatment works" should have the same use of the de minimus sludge exclusion as a "person" described as a preparer or processor in the proposed rule. The same low risk associated with the de minimus value of 290 dry metric tons exists under both circumstances.

We recommend that the final rule expand the exclusion category of section 5.10(a)(2)(ii) to include treatment works that produce 290 dry metric tons or less of sewage sludge for land application regardless of its daily flow rate. If you have any questions, my point of contact is Ms. Kathy Ellis at (703) 602-2568 or email ellis.kathy@hq.navy.mil.

Elsie L. Munsell

Elsie L. Munsell
Deputy Assistant Secretary of the Navy
(Environment and Safety)

Copy to:
ODUSD(ES)/EQ-CM
OAGC(I&E)
CNO N45
DAIM-ED-C
SAF/MIQ
HQMC-LFL
DLA(CAAE)