

SHALL REVIEW THE RULES AND REGULATIONS AND APPROVE THOSE PORTIONS DEALING WITH AGRICULTURAL PRACTICES LAND APPLICATION OF SEWAGE SLUDGE.

(2) IN ADOPTING RULES OR REGULATIONS, THE DEPARTMENT SHALL CONSIDER:

- (I) ALTERNATIVE UTILIZATION METHODS;
- (II) PATHOGEN CONTROL;
- (III) ADVERTISING REQUIREMENTS FOR PUBLIC HEARINGS AND PUBLIC INFORMATION MEETINGS;
- (IV) PERFORMANCE BONDING, LIABILITY INSURANCE, OR OTHER SECURITIES;
- (V) PROCEDURES FOR NOTIFYING LOCAL UNITS OF GOVERNMENT AND OTHER INTERESTED PARTIES; AND
- (VI) ADEQUATE STANDARDS FOR TRANSPORTING SLUDGE, INCLUDING REQUIREMENTS FOR THE ENCLOSURE OR COVERING OF SEWAGE SLUDGE DURING TRANSPORTATION.

(3) IN ADDITION TO THE REQUIREMENTS IN SUBSECTION (B) OF THIS SECTION PARAGRAPH (2) OF THIS SUBSECTION, IN ADOPTING ANY RULES OR REGULATIONS FOR THE LAND APPLICATION OF SEWAGE SLUDGE THE DEPARTMENT SHALL CONSIDER:

- (I) METHODS FOR CALCULATING LOADING RATES FOR LAND APPLICATION, THAT FOR AGRICULTURAL LAND SHALL BE LIMITED BY THE NUTRIENT REQUIREMENTS OF THE CROP OR COVER VEGETATION, AS RECOMMENDED BY THE DEPARTMENT OF AGRICULTURE, AND FOR ALL LAND BY THE REQUIREMENT OF NONDEGRADATION OF THE GROUNDWATER SUPPLY;
- (II) CROPS TO BE GROWN ON LAND ON WHICH SEWAGE SLUDGE MAY BE UTILIZED;
- (III) THE NATURE OF ANY SURROUNDING OR UNDERLYING BODIES OF WATER;
- (IV) THE CHARACTER OF AN AFFECTED SPECIFIC AREA OR OF NEARBY EXISTING OR PLANNED LAND USES AND TRANSPORT ROUTES AND THEIR PROXIMITY TO ANY SENSITIVE AREA, INCLUDING FLOOD PLAINS, WETLANDS, AND AREAS OF CRITICAL CONCERN;
- (V) THE DEFINITIONS OF:
  - 1. SLUDGE THAT IS UNSUITABLE FOR APPLICATION TO AGRICULTURAL LAND;
  - 2. AGRICULTURAL LAND; AND
  - 3. MARGINAL LAND; AND