

(C) SAME -- LAND APPLICATION OF SEWAGE SLUDGE.

IN ADDITION TO THE ~~REQUIREMENTS--OF~~ CONSIDERATIONS UNDER SUBSECTION (B) OF THIS SECTION, IN ADOPTING REGULATIONS FOR THE LAND APPLICATION OF SEWAGE SLUDGE, THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE SHALL CONSIDER:

(1) METHODS FOR CALCULATING LOADING RATES THAT:

(I) WILL ASSURE NONDEGRADATION OF THE GROUNDWATER SUPPLY; AND

(II) FOR AGRICULTURAL LAND, ~~WILL--TAKE--INTO ACCOUNT~~ SHALL BE LIMITED BY THE NUTRIENT REQUIREMENTS OF CROP OR COVER VEGETATION, AS RECOMMENDED BY THE DEPARTMENT OF AGRICULTURE;

(2) THE CROPS THAT ARE TO BE GROWN ON LAND ON WHICH SEWAGE SLUDGE MAY BE APPLIED;

(3) THE NATURE OF ANY NEARBY SURFACE WATER OR GROUNDWATER;

(4) THE CHARACTER OF ANY AFFECTED AREA;

(5) THE CHARACTER OF NEARBY EXISTING OR PLANNED LAND USES AND TRANSPORTATION TRANSPORT ROUTES;

(6) THE NEARNESS OF THE LAND ON WHICH SEWAGE SLUDGE MAY BE APPLIED TO SENSITIVE AREAS, INCLUDING FLOOD PLAINS, WETLANDS, AND AREAS OF CRITICAL STATE CONCERN;

(7) THE DEFINITIONS OF:

(I) SEWAGE SLUDGE THAT IS UNSUITABLE FOR APPLICATION TO AGRICULTURAL LAND;

(II) AGRICULTURAL LAND;

(III) MARGINAL LAND; AND

(IV) COMPOST;

(8) ACCEPTABLE CUMULATIVE LOADING RATES, INCLUDING RATES FOR NITROGEN AND HEAVY METALS;

(9) SPECIAL REQUIREMENTS OF LAND USED FOR GROWING PRODUCING TOBACCO; AND

(10) REASONABLE BUFFER AREAS TO SEPARATE ANY HOME OR OTHER PROPERTY FROM LAND ON WHICH SEWAGE SLUDGE MAY BE APPLIED.

(D) GENERATOR'S FEES; FEE SCHEDULES.