

Laura Almond

From: Laura Almond
Sent: Wednesday, July 9, 2025 1:08 PM
To: 'apa.senatepresident@legis.la.gov'; 'apa.housespeaker@legis.la.gov'; 'apa.h-natr@legis.la.gov'; 'apa.s-envq@legis.la.gov'
Cc: Courtney Burdette (DEQ); Jill Clark; Deidra Johnson; William Little; Nathan Mills
Subject: Summary Report for Proposed Rule WQ113
Attachments: WQ113NOI.pdf; WQ113 - Comment Summary and Response.pdf

July 9, 2025

The Honorable Eddie J. Lambert, Chairman
c/o Committee Staff
Senate Committee on Environmental Quality

The Honorable Brett F. Geymann, Chairman
House Committee on Natural Resources and Environment
c/o Committee Staff

**RE: Summary Report for Proposed Rule WQ113
Chapter 73. Standards for the Use or Disposal of Sewage Sludge and Biosolids
(LAC 33:IX.Chapter 73)
Proposed on April 20, 2025**

Pursuant to the Louisiana Administrative Procedure Act, the Louisiana Department of Environmental Quality is submitting a report regarding the above-referenced proposed rule, which was published in the *Louisiana Register*. Comments were received. No changes have been made to the proposed rule since the report provided for in R.S. 49:966(B) was submitted. Attached are computer files comprising the summary report along with a copy of the notice of intent. The original proposed rule was previously provided to you and is not being resubmitted with this report.

We would appreciate it if you would acknowledge receipt of this message by return email. Please contact Laura Almond at (225) 219-3981 if you have any questions regarding this material.

Sincerely yours,

Jill C. Clark
General Counsel

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This concludes this transmission.

Laura Almond
Environmental Project Specialist
Louisiana Department of Environmental Quality
Legal Affairs Division

Comment Summary Response & Concise Statement
LAC 33:IX.Chapter 73
Log Number WQ113

Chapter 73. Standards for the Use or Disposal of Sewage Sludge and Biosolids
(LAC 33:IX.Chapter 73) (WQ113)

COMMENT 1: The Associations support the Department's efforts to clarify Chapter 73 to assist both facility and agency personnel in interpreting and implementing the regulations.

FOR/AGAINST: No arguments necessary; comment does not suggest amendment or change.

RESPONSE 1: The Louisiana Department of Environmental Quality (LDEQ) acknowledges and appreciates the comment.

COMMENT 2: Under the proposed amendments, facilities will be required to follow the reporting and recordkeeping requirements of § 7301.E and/or G, which are consistent with those in the existing general permits LAJ650000 and LAJ660000. However, clarity is needed from the Department on the applicability of the "sewage sludge generators" requirements of Subsection E and the "sewage sludge disposed in a landfill" requirements of Subsection G. Specifically, the applicability for these two subsections states as follows in the proposed amendments (bold indicates added language with the proposed amendment and strike through indicates removed language in the proposed amendment)... Some member facilities operate sanitary package plants (modular or "plug and play" designs) that are designed to remove biosolids directly, without onsite treatment, for disposal in a landfill. Thus, the Associations suggest the following amendment to clarify that these types of units are subject to § 7301.E: "This Section applies to a person that generates sewage sludge, and does not treat sewage sludge onsite prior to be being disposed at a landfill or other approved sewage sludge treatment facility, does not incinerate sewage sludge, or does not treat sewage sludge for land application."

FOR: Additional clarity is needed for specific types of sanitary package

plants.

AGAINST: The current language is adequate to include all types of plants and/or persons that do not treat or incinerate sewage sludge for off-site disposal.

RESPONSE 2: *Treatment of sewage sludge* is defined at § 7301.B, which was not included in the rule language, as no changes to the definition were proposed. *Treatment of sewage sludge* is defined as “the preparation of sewage sludge for final use or disposal. This includes, but is not limited to, blending, mixing, composting, thickening, stabilization, and dewatering and solidification of sewage sludge. This does not include storage of sewage sludge.” Removal for the purpose of disposal off-site would not qualify as *treatment of sewage sludge*. This definition gives clarity to the sanitary package plants that are applicable to the requirements at § 7301.E.

COMMENT 3: Relatedly, the addition of proscribed sampling and reporting at a “minimum of once/year” at § 7301.G.3.b is not necessary. Instead, § 7301.G.3.c, which requires that a facility that disposes sewage sludge in a landfill maintain records of the landfilling, including treatment, lab analyses, and transporter and landfill information, for at least five years meets this aim. The subsection (c) requirement is more aligned with the current regulations and management of records practices at member company facilities. The Department is entitled to review any treatment and lab analysis for the materials under G.3.c and does not need the separate requirement of sampling reports once a year, which would only create additional resource burdens on the facilities and administrative burdens for the Department without a commensurate environmental benefit.

FOR: The sampling and reporting requirement at § 7301.G.3.b is not necessary, as facilities are required to maintain records for at least five years.

AGAINST: A minimum, annual submittal is required to ensure compliance and maintain public access to facility records through the Electronic Document Management System (EDMS).

RESPONSE 3: The sampling and reporting requirements at § 7301.G.3.b are

consistent with the current LAJ650000 general permit for disposal in a landfill. Any facility that prepares sewage sludge for disposal in a landfill should have previously obtained coverage under the LAJ650000 general permit. Therefore, this is not a new or additional requirement to facilities. Although a separate sewage sludge permit is no longer required for facilities preparation of sewage sludge prior to disposal in a landfill, facilities must continue to demonstrate compliance with the minimum requirements for disposal in a landfill. As stated in § 7301.G.3.c, all records, including the analyses performed for compliance with § 7301.G.3.b, must be maintained for five years.

COMMENT 4: The proposed amendments remove the financial requirements for commercial preparers of sewage sludge and commercial land appliers of biosolids in §7307 and the related Financial Assurance Documents at §7395...Further, eliminating financial assurance requirements for biosolids and sewage sludge programs will ease regulatory pressures on treatment facilities, enabling them to focus more on system upgrades and operational improvements. The amendments support LDEQ's stated purposes of simplifying the regulations, which will in turn lead to more efficient compliance. And as discussed above, because federal regulations do not impose financial assurance requirements, maintaining such mandates at the state level adds redundant and unnecessary complexity. Thus, the Associations support the Department's removal of the financial assurance requirements from Chapter 73.

FOR/AGAINST: No arguments necessary; comment does not suggest amendment or change.

RESPONSE 4: The Louisiana Department of Environmental Quality (LDEQ) acknowledges and appreciates the comment.

Comment Summary Response & Concise Statement
LAC 33:IX.Chapter 73
Log Number WQ113

<u>COMMENT #</u>	<u>SUGGESTED BY</u>
1 – 4	Lauren J. Rucinski of Kean Miller LLP, on behalf of the Louisiana Chemical Association (LCA) and the Louisiana Mid-Continent Oil and Gas Association (LMOGA)

Comments reflected in this document are repeated verbatim from the written submittal.

Total Commenters: 1
Total Comments: 4

Laura Almond

From: APA - House Natural Res <apa.h-natr@legis.la.gov>
Sent: Wednesday, July 9, 2025 1:09 PM
To: Laura Almond
Subject: Request received

EXTERNAL EMAIL: Please do not click on links or attachments unless you know the content is safe.

ELECTRONIC RECEIPT BY COMMITTEE

Your Administrative Procedure Act (APA) submission has been received by the Committee on Natural Resources, Louisiana House.

(Please do not respond to this automatically generated response.)

If your communication is unrelated to an APA required submission, it has been deleted.

If you would like to contact your state legislator, click here <https://www.legis.la.gov/legis/HowDoI2.aspx?p=3#11> to determine the name of your state representative and state senator and to find their contact information.

If you would like to contact members of a particular committee, click here for House Committees <https://www.legis.la.gov/legis/Committees.aspx?c=H> and here for Senate Committees <https://www.legis.la.gov/legis/Committees.aspx?c=S>. The name and contact information of all committee members is available at these sites.

Laura Almond

From: APA - House Speaker <apa.housespeaker@legis.la.gov>
Sent: Wednesday, July 9, 2025 1:09 PM
To: Laura Almond
Subject: Request received

EXTERNAL EMAIL: Please do not click on links or attachments unless you know the content is safe.

ELECTRONIC RECEIPT FROM THE OFFICE OF THE SPEAKER

Your Administrative Procedure Act (APA) submission has been received by the Office of the Speaker, Louisiana House of Representatives.

(Please do not respond to this automatically generated response.)

If your communication is unrelated to an APA required submission, it has been deleted.

If you would like to contact your state legislator, click here <https://www.legis.la.gov/legis/HowDoI2.aspx?p=3#11> to determine the name of your state representative and state senator and to find their contact information.

If you would like to contact members of a particular committee, click here for House Committees

<https://www.legis.la.gov/legis/Committees.aspx?c=H> and here for Senate Committees

<https://www.legis.la.gov/legis/Committees.aspx?c=S>. The name and contact information of all committee members is available at these sites.

Laura Almond

From: APA - Senate Environment <apa.s-envq@legis.la.gov>
Sent: Wednesday, July 9, 2025 1:09 PM
To: Laura Almond
Cc: APA - Senate Environment
Subject: Request received

EXTERNAL EMAIL: Please do not click on links or attachments unless you know the content is safe.

ELECTRONIC RECEIPT BY COMMITTEE

Your Administrative Procedure Act (APA) submission has been received by the Committee on Environment, Louisiana Senate.

(Please do not respond to this automatically generated response.)

If your communication is unrelated to an APA required submission, it has been deleted.

If you would like to contact your state legislator, click here <https://www.legis.la.gov/legis/HowDoI2.aspx?p=3#11> to determine the name of your state representative and state senator and to find their contact information.

If you would like to contact members of a particular committee, click here for House Committees <https://www.legis.la.gov/legis/Committees.aspx?c=H> and here for Senate Committees <https://www.legis.la.gov/legis/Committees.aspx?c=S>. The name and contact information of all committee members is available at these sites.

Laura Almond

From: APA - Senate President <APA.senatepresident@legis.la.gov>
Sent: Wednesday, July 9, 2025 1:09 PM
To: Laura Almond
Subject: Request received

EXTERNAL EMAIL: Please do not click on links or attachments unless you know the content is safe.

ELECTRONIC RECEIPT FROM THE OFFICE OF THE PRESIDENT

Your Administrative Procedure Act (APA) submission has been received by the Office of the President, Louisiana Senate.

(Please do not respond to this automatically generated response.)

If your communication is unrelated to an APA required submission, it has been deleted.

If you would like to contact your state legislator, click here <https://www.legis.la.gov/legis/HowDoI2.aspx?p=3#11> to determine the name of your state representative and state senator and to find their contact information.

If you would like to contact members of a particular committee, click here for House Committees <https://www.legis.la.gov/legis/Committees.aspx?c=H> and here for Senate Committees <https://www.legis.la.gov/legis/Committees.aspx?c=S>. The name and contact information of all committee members is available at these sites.

Laura Almond

From: Microsoft Outlook
To: 'apa.senatepresident@legis.la.gov'; 'apa.housespeaker@legis.la.gov'; 'apa.h-natr@legis.la.gov'; 'apa.s-envq@legis.la.gov'
Sent: Wednesday, July 9, 2025 1:09 PM
Subject: Relayed: Summary Report for Proposed Rule WQ113

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

'apa.senatepresident@legis.la.gov' (apa.senatepresident@legis.la.gov)

'apa.housespeaker@legis.la.gov' (apa.housespeaker@legis.la.gov)

'apa.h-natr@legis.la.gov' (apa.h-natr@legis.la.gov)

'apa.s-envq@legis.la.gov' (apa.s-envq@legis.la.gov)

Subject: Summary Report for Proposed Rule WQ113



Summary Report
for Proposed Ru...

Laura Almond

From: Microsoft Outlook
To: Deidra Johnson
Sent: Wednesday, July 9, 2025 1:09 PM
Subject: Delivered: Summary Report for Proposed Rule WQ113

Your message has been delivered to the following recipients:

Deidra Johnson (Deidra.Johnson@LA.GOV)

Subject: Summary Report for Proposed Rule WQ113



Summary Report
for Proposed Ru...

Laura Almond

From: Microsoft Outlook
To: Jill Clark
Sent: Wednesday, July 9, 2025 1:09 PM
Subject: Delivered: Summary Report for Proposed Rule WQ113

Your message has been delivered to the following recipients:

Jill Clark (Jill.Clark@la.gov)

Subject: Summary Report for Proposed Rule WQ113



Summary Report
for Proposed Ru...

Laura Almond

From: Microsoft Outlook
To: Courtney Burdette (DEQ)
Sent: Wednesday, July 9, 2025 1:09 PM
Subject: Delivered: Summary Report for Proposed Rule WQ113

Your message has been delivered to the following recipients:

Courtney Burdette (DEQ) (Courtney.Burdette@LA.GOV)

Subject: Summary Report for Proposed Rule WQ113



Summary Report
for Proposed Ru...

Laura Almond

From: Microsoft Outlook
To: William Little
Sent: Wednesday, July 9, 2025 1:09 PM
Subject: Delivered: Summary Report for Proposed Rule WQ113

Your message has been delivered to the following recipients:

[William Little \(William.Little@la.gov\)](mailto:William.Little@la.gov)

Subject: Summary Report for Proposed Rule WQ113



Summary Report
for Proposed Ru...

Laura Almond

From: Microsoft Outlook
To: Nathan Mills
Sent: Wednesday, July 9, 2025 1:09 PM
Subject: Delivered: Summary Report for Proposed Rule WQ113

Your message has been delivered to the following recipients:

[Nathan Mills \(Nathan.Mills@LA.GOV\)](mailto:Nathan.Mills@LA.GOV)

Subject: Summary Report for Proposed Rule WQ113



Summary Report
for Proposed Ru...

Laura Almond

From: Hughes, Janice <hughesj@legis.la.gov>
To: Laura Almond
Sent: Wednesday, July 9, 2025 2:21 PM
Subject: Read: Summary Report for Proposed Rule WQ113

Your message

To: Hughes, Janice
Subject: Summary Report for Proposed Rule WQ113
Sent: Wednesday, July 9, 2025 1:08:25 PM (UTC-06:00) Central Time (US & Canada)

was read on Wednesday, July 9, 2025 2:21:03 PM (UTC-06:00) Central Time (US & Canada).

Laura Almond

From: Poynter Library <drplibrary@legis.la.gov>
To: Laura Almond
Sent: Wednesday, July 9, 2025 2:40 PM
Subject: Read: Summary Report for Proposed Rule WQ113

Your message

To: Poynter Library
Subject: Summary Report for Proposed Rule WQ113
Sent: Wednesday, July 9, 2025 1:08:25 PM (UTC-06:00) Central Time (US & Canada)

was read on Wednesday, July 9, 2025 2:40:06 PM (UTC-06:00) Central Time (US & Canada).

Laura Almond

From: William Little
To: Laura Almond
Sent: Wednesday, July 9, 2025 2:36 PM
Subject: Read: Summary Report for Proposed Rule WQ113

Your message

To: William Little
Subject: Summary Report for Proposed Rule WQ113
Sent: Wednesday, July 9, 2025 1:08:25 PM (UTC-06:00) Central Time (US & Canada)

was read on Wednesday, July 9, 2025 2:35:51 PM (UTC-06:00) Central Time (US & Canada).

Laura Almond

From: Stalder, Robin <stalderr@legis.la.gov>
To: Laura Almond
Sent: Wednesday, July 9, 2025 3:39 PM
Subject: Read: Summary Report for Proposed Rule WQ113

Your message

To: Stalder, Robin
Subject: Summary Report for Proposed Rule WQ113
Sent: Wednesday, July 9, 2025 1:08:25 PM (UTC-06:00) Central Time (US & Canada)

was read on Wednesday, July 9, 2025 3:38:44 PM (UTC-06:00) Central Time (US & Canada).

Laura Almond

From: Nathan Mills
To: Laura Almond
Sent: Wednesday, July 9, 2025 3:59 PM
Subject: Read: Summary Report for Proposed Rule WQ113

Your message

To: Nathan Mills
Subject: Summary Report for Proposed Rule WQ113
Sent: Thursday, July 10, 2025 4:08:25 AM (UTC+10:00) Brisbane

was read on Thursday, July 10, 2025 6:58:38 AM (UTC+10:00) Brisbane.

Laura Almond

From: Winkler, Jennifer <winklerj@legis.la.gov>
To: Laura Almond
Sent: Thursday, July 10, 2025 5:02 AM
Subject: Read: Summary Report for Proposed Rule WQ113

Your message

To: Winkler, Jennifer
Subject: Summary Report for Proposed Rule WQ113
Sent: Wednesday, July 9, 2025 1:08:25 PM (UTC-06:00) Central Time (US & Canada)

was read on Thursday, July 10, 2025 5:01:38 AM (UTC-06:00) Central Time (US & Canada).