

PREPARING A GROUNDWATER PROTECTION PLAN FOR LAND APPLICATION OF SEPTAGE

Kentucky Division of Water
Watershed Management Branch
Groundwater Protection Program
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[Groundwater Protection Webpage](#)

The Groundwater Protection Regulation, 401 KAR 5:037, requires anyone who conducts an activity having the potential to pollute groundwater to develop a Groundwater Protection Plan (GPP). A Groundwater Protection Plan identifies the activities being conducted at your site that have the potential to pollute groundwater and states the practices you will use that will prevent groundwater pollution. Section 2 of the regulation identifies the activities that require a GPP. Land application of septage is one of the activities identified under Section 2.

(1)(e) "Land treatment or land disposal of a pollutant," and

(1)(f) "Storing, treating, disposing, or related handling of hazardous waste, solid waste, or special waste in landfills, incinerators, surface impoundments, tanks, drums, or other containers, or in piles."

Read Section 2 thoroughly to be sure that your GPP includes **all** the activities that are subject to 401 KAR 5:037 that are being conducted at your site. Note any other regulated activities that are being conducted other than the ones listed in the paragraph above and include them in the GPP.

The regulation may be downloaded from the Groundwater Protection Plan web site at <http://water.ky.gov/gw/gwprotection/gwplans>.

USING THE GUIDANCE

Follow the Guidance Format.

Follow the format provided in the guidance to develop your GPP. Using this format will assure that most, if not all, of the information necessary for adequate review is included. It also organizes the information so that anyone from the general public who reads your plan can follow it without needing additional information.

Use all Headings and Subheadings as stated in the Guidance.

Do not make up your own headings or subheadings. Use the headings and subheadings in the order provided in the guidance. Do not leave out headings.

Provide all Information requested in the Guidance, where applicable.

Be sure that you have provided the information requested. The review process is delayed when necessary information has been left out.

Contact the Groundwater Protection Plan Program if you need assistance or have any questions.

Please call (502) 564-3410 and ask for the GPP Program Coordinator.

Provide the following information in your GPP:

Section A. GENERAL INFORMATION

1. Name and Address of Facility
 - a. Name of your business.
 - b. Business address.
 - c. County.
 - d. Address of land application site, if different from the business address.

2. Person Developing GPP
 - a. Name
 - b. Address (business address, not home address unless business operates out of the home.).
 - c. Telephone number (business phone, not home phone unless business operates out of the home.).

3. Person Responsible for Implementing GPP
 - a. Name
 - b. Address (business address)
 - c. Telephone number

4. Map Location of Land Application Site
 - a. Topographic map location.

Use only a United States Geological Survey 7.5 minute topographical map. County road maps, other maps, or air photos are not acceptable. Copy the 8 ½ x 11 inch section of the map that contains the location of the application site. If that section does not have the name of the topographic quadrangle, please write it on the map. Do **not** enlarge or reduce the size of the map.

Clearly mark the application site boundaries on the map.

 - b. Dimensional site plan.

Provide a copy of the dimensional site plan showing locations of any structures such as septic tanks used for storage of septage; water sources such as springs or water wells; sinkholes; caves; sinking or disappearing streams, if present on or next to the disposal site. Show setback distances for any of the features that may be present.

Section B. ACTIVITIES THAT HAVE THE POTENTIAL TO POLLUTE GROUNDWATER

List all the activities performed in the land application, treatment or storage process that may possibly pollute groundwater. Some examples of the activities are:

- storing septage in septic tank prior to land application.
- treating septage with chemicals to kill germs or vectors (flies, mosquitoes).
- unloading septage from pumper truck to storage tank.
- incorporating septage into soil or onto land surface.

List any other activities that require a GPP that are conducted at the site that are not part of the septage application process.

Section C. PRACTICES SELECTED TO PROTECT GROUNDWATER FROM POLLUTION

List the management practices you are using or going to use to protect groundwater from pollution.

Examples of management practices:

- Maintain required setback distances from water wells, springs, sinkholes, surface streams, etc.
- Will not apply septage to flooded, frozen, or snow-covered land such that it would run off into a wetland or surface water stream.
- Will not allow septage to concentrate and overload part of the field with nutrients.
- Will not allow septage to collect in low areas and road ditches.

Other management practices may be found in Sections 5 and 8 of 902 KAR 10:160. Any of those practices may be used if they will prevent surface water and groundwater pollution.

List management practices that are being used or will be used for any other activities listed in Section B. Activities that have the Potential to Pollute Groundwater. If an Aboveground Storage Tank (AST) has been listed in Section B, give the capacity and contents of the tank. If it is a fuel storage tank, you must provide information about secondary containment. State whether the berms (sides) and floor are metal, concrete, asphalt, compacted clay, or dirt. If there is no secondary containment, state that, too.

Certification Statement for Compliance with 902 KAR 10:160:

The GPP must include a statement that the site is in compliance with 902 KAR 10:160. The person responsible for the business must sign the statement. Use the statement below just as it is written.

I _____ certify that this site is managed in compliance with 902 KAR 10:160.

Hand written signature
Date

Section D. IMPLEMENTATION SCHEDULE

The GPP must be implemented immediately. Implementation does **not** depend upon approval of the GPP.

If you are already using the protective practices, just state so. If not, state the date by which you plan to use them.

If you must order protective equipment or build secondary containment structures, and the cost is not part of your business's budget, the GPP Program will work with you on an acceptable time frame for completing the project. List what is to be done and give an estimated date when the project will be completed.

Section E. EMPLOYEE TRAINING

If you have employees working for you at the disposal site, they must be trained to follow the management practices in the GPP to prevent surface water and groundwater pollution.

Briefly describe how you train the employees, when they receive the training, and how often they receive any refresher training. Be specific. For example, say initially on hire and twice a year or once a year after that. Saying "when needed" or "frequently" is not acceptable.

Section F. INSPECTION SCHEDULE

The purpose of Inspections is to ensure that all the management practices are being followed and are working to prevent groundwater pollution.

The application site must be inspected to determine that the management practices are working. Inspection records must be kept to show that you are implementing your Groundwater Protection Plan. The records should be in the form of a checklist.

The checklist must include:

- the management practice.
- observations.
- is the management practice working (yes, no).
- date, and
- place for person doing the inspection to sign his/her name.

You must also state how often inspections will take place. Again, be specific. State an exact time interval. Saying "when needed" or "frequently" is not acceptable.

Section G. CERTIFICATION STATEMENT

The person who can make the managerial and/or financial decisions that are required to implement your plan should be the one signing the certification statement.

Use the following certification statement just as it is:

I (_____) certify that this Groundwater Protection Plan complies with the requirements of 401 KAR 5:037. I have read the plan and will implement its provisions.

Signature
Date

Section H. REVIEW LOCATION FOR GROUNDWATER PROTECTION PLAN

Section 4(7) of 401 KAR 5:037 provides for public inspection of Groundwater Protection Plans (See pages 11-12).

Your approved GPP will be retained in the Division of Water Branch files. You may choose the Kentucky Division of Water, Frankfort, as the review location or one of the other locations stated on page 12 of the regulation.

If you choose a review site other than the Division of Water, be sure that a copy of the approval letter and the approved GPP are provided to that location.

WHEN YOU HAVE COMPLETED THE GPP....

When you have completed your plan, review the draft to be sure that the GPP has included **all** the activities occurring at your site that are covered by the Groundwater Protection Regulation and that you have provided **all** the information, where it applies, for each section.

Implement your GPP!

To be in compliance with 401 KAR 5:037, your GPP must be implemented. Also, a copy of the GPP must be kept at the site. If no one is at the site except when applying the septage, then a copy must be kept in the truck. You must also implement the GPP **immediately** following its development. This applies to **all** GPPs, even when a GPP is in review. Implementation is not dependent upon GPP Program approval of the plan. If your GPP is in review, continue to implement the practices in the submitted GPP. If changes are required, then the new practices should be implemented.

Submitting the GPP

A site specific GPP does not need to be submitted for review by the GPP Program unless it is:

- required as part of an Agreed Order.
- stated by a Department for Environmental Protection inspector as a requirement in a Notice of Violation.
- requested by letter by the Groundwater Branch.

To submit a GPP for review and approval, send one (1) copy of the GPP to the Groundwater Protection Plan Program Coordinator, Watershed Management Branch, Kentucky Division of Water, 300 Sower Blvd., 3rd FL, Frankfort KY 40601.

Your initial GPP submittal and any further revisions **will not** be returned. Be sure you keep a copy of each revision so that required changes can be made. The approved GPP will be kept in the Division of Water files. You will receive a letter stating the GPP has been approved.

You do not need to include the Groundwater Protection Regulation or this guidance document with the GPP when submitting it for review.