**Section 391.201 Persons Requiring Permits**

a) Persons applying sludge on land are required to obtain a permit unless exempted by 35 Ill. Adm. Code 309.208.

b) Persons that have not been exempted include the following:

1) All sludge generators intending to apply sludge on land including but not limited to agricultural land, treatment plant grounds, disturbed soils, sod farms or have a public distribution program are required to obtain an Agency permit, either in a separate construction and/or operating state permit pursuant to Subpart B of 35 Ill. Adm. Code 309 for new or existing treatment works, or as part of a National Pollutant Discharge Elimination System (NPDES) permit;

2) Sludge distributors who sell or give away sludge at a rate exceeding the equivalent of 1500 dry tons per year are required to obtain an Agency permit or be included as part of a sludge management plan in a sludge generator's permit;

3) Sludge users who apply sludge to sites greater than 300 acres under common ownership or control in any year or apply more than 1500 dry tons of sludge per year are required to obtain an Agency permit unless the site is specifically identified in an Agency permitted sludge generator management plan;

4) Sludge users are required to obtain an Agency permit if special circumstances exist such that a permit is required to protect the environment or public health;

5) Sludge generators or users constructing or operating permanent sludge transfer or receiving stations, permanent liquid sludge storage facilities or permanent dried sludge stockpile areas are required to obtain an Agency permit unless these facilities are approved in a sludge management plan as part of a sludge generator permit.