

Summer 04 issue
BIOSOLIDS BUSINESS
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In Our Own Backyard

In the Spring 2004 issue of the Wastewatcher, I commented on some of the actions that are taking place at the national level in response to the National Research Council [part of the National Academy of Sciences] report entitled “*Biosolids Applied to Land: Advancing Standards and Practices*”. In general, there were four overarching recommendations [to EPA] that came out of that report [the report is actually the size of a small text book]. The one that was not discussed in the spring issue is this: **Increase the resources devoted to EPA’s Biosolids Program.** Well, this has not happened and in fact it appears that one of EPA’s lead program staff members who retired will not be replaced.

The recommendation to increase resources is related to the public’s perception that regulatory oversight of the program is insufficient to ensure that biosolids standards and the land application management practices are met and effective in preventing problems.

How do we respond to the issue of oversight in our own backyard when we too are short of resources? Are you asking yourself, is this really an issue in Minnesota and if so, what can we do about it?

I would have to answer yes – if not before it is becoming an issue. Much to my surprise [at the end of the day on a Friday] I was asked to comment on a bill introduced in both the Minnesota State House and Senate regarding the land application of biosolids. As soon as I read it, I could see the trickle down effect from this “national concern” regarding oversight and what is occurring on the home front. You may recall in the spring issue that I commented on a formal Petition to EPA [by a number of anti-biosolids groups] to place an immediate moratorium on and then to eventually ban the land application of biosolids. Well, one of the organizations that signed the Petition is based in Minnesota. In addition, there are some areas of the state that are strongly opposed to the land application of biosolids. Both this group and others opposed to biosolids land application were successful in getting the attention of legislators this year. If you are not familiar with it, the original bill basically sought to have all wells near land application sites monitored for a number of years and authorized the Minnesota Pollution Control Agency to do it and charge the cities for that service.

But - back to the point of oversight and what can we do about it. I did indeed have the opportunity to meet with and comment on oversight to both legislators and felt I was able to convey some degree of confidence in our program. Many municipalities also commented on the legislation and our program to their legislators specifically addressing the fact that the legislation did not have a sound scientific basis. I think our combined effort paid off even though we did not get anything positive out of it except to delete the original language. It was technically unsound.

But then, what happened? An effort was then made to provide some resources for a little more oversight but this was thwarted [I believe] in the last hours of the day the bill was to be heard because the anti-biosolids contingency continued to lobby for language they wanted in the bill. [It may have changed three times in two days.]

I think these actions point to the need for everyone involved in land application to continue to be vigilant about what's going on around us and to work together to get the job done – **that is assuring the public that land application is being done in compliance with regulations.**

So - what gives us the confidence to say so? Clearly, the Agency as well as permittees are strapped for resources these days so we need to work together closely to get the job done. My opinion is that we have a degree of confidence because of the way the Minnesota program is set up. It provides us with the opportunity to communicate and have contact with each other.

We need to continue on our course of regulatory compliance through **communication**, specifically through training and by direct contact via phone, email, response to annual reports, and by conducting inspections. Communication needs to happen not only between the regulators and permittees but internally between the permittee's staff and others they may contract with for land application. **The information shared between all of us and records of that communication are critical when we say that land application of biosolids was conducted in compliance with the regulations.** [And don't forget the good housekeeping, common sense and be the first in the public relations business!]

Stay tuned to the Wastewatcher for more on records.