Association of
Metropolitan
Sewerage Agencies

June 25, 2001

Supervisor Jim Venable, Chairman
Riverside County Board of Supervisors
District Office
43950 Acacia Ave, Suite A
Hemet, CA 92544

Dear Supervisor Venable:

The Association of Metropolitan Sewerage Agencies (AMSA) is deeply concerned with the proposed actions of the Riverside County Board of Supervisors to restrict the land application of biosolids until the National Research Council (NRC) completes a study of the Federal regulations governing land application. AMSA represents the interests of the nation's publicly-owned wastewater treatment agencies. Collectively, AMSA's more than 260 member agencies serve the majority of the sewered population in the United States, treating and reclaiming more than 18 billion gallons of wastewater each day. A majority of our member agencies rely upon land application for the management of their biosolids. The information below demonstrates that it is premature to take any action to restrict biosolids land application before the NRC has had an opportunity to completely assess existing Federal biosolids regulations. AMSA urges you to reconsider your planned actions to extend the land application set back and ultimately ban the land application of Class B biosolids. Such an action will only perpetuate misunderstanding of biosolids and their environmentally beneficial uses.

Land application has been a safe and environmentally sustainable management tool for wastewater treatment agencies for decades. Wastewater treatment biosolids are seen as a valuable resource for soil conditioning and crop fertilization. Currently, nearly half of the biosolids produced in the United States are land applied, most as Class B material with applicable site restrictions, on agricultural land and reclamation sites. These practices have resulted in little or no observed problems and often have strong local public support.

1816 Jefferson Place, NW, Washington, DC 20036-2505 • 202.833.2672 • 202.833.4657 FAX
info@amsa-cleanwater.org • http://www.amsa-cleanwater.org

The uses or disposal of biosolids, including the use of biosolids as a fertilizer, are federally regulated by the U.S. Environmental Protection Agency through 40 CFR Part 503. The Part 503 regulations were promulgated by EPA in February 1993. The regulations were developed over a ten-year period and were based primarily upon a comprehensive, multi-media scientific risk assessment that included many reviews and the active involvement of numerous federal, as well as state regulatory agency officials and eminent university scientists from across the United States. Data collected from hundreds of research studies and operating projects were reviewed during the risk assessment effort that served as the technical basis of the Part 503 regulations.

In 1996, a detailed, three-year review of land application practices and the Part 503 regulations by the National Research Council (NRC), *Use of Reclaimed Water and Sludge in Food Crop Production* (National Academy Press, 1996), concluded that "current technology to remove pollutants from wastewater, coupled with existing regulations and guidelines governing the use of reclaimed wastewater and sludge in crop production, are adequate to protect human health and the environment. Established numerical limits on concentration levels of pollutants added to cropland by sludges are adequate to assure the safety of crops for human consumption." The NRC report continues by stating that "institutional barriers such as public confidence in the adequacy of the regulatory system and concerns over liability, property values, and nuisance factors will play a major role in the acceptance of" the land application of biosolids. The NRC admitted that these "implementation issues, rather than scientific information on the health and safety risks from food consumption, may be the critical factors in determining" whether biosolids are land applied.

As the NRC correctly observed, despite the regulations governing land application and the proven safety of the practice, there have been a number of widely publicized, generally undocumented allegations of problems associated with Class B biosolids. Institutional barriers and nuisance factors, rather than scientific evidence, are becoming the primary impediments to the land application of biosolids.

In response to such concerns, and in an effort to ensure the underlying science is current, EPA asked an NRC panel to review the methods, assumptions, and data used by EPA in conducting the risk assessment behind the Part 503 biosolids regulations and evaluate whether the standards and practices established in those regulations are still appropriate based upon currently available scientific information. Unfortunately, some community groups and members of the media perceive the need for this study as an indicator that the current regulations are flawed. This is simply not the case. To complicate the situation further, the media has portrayed statements from members of the NRC panel as preliminary conclusions, rather than accurately describing them as opinions. To date, the NRC has not produced a report of its findings and has not reached any conclusions. Completion of the NRC report is anticipated in Summer 2002.

Again, we believe it is premature of the Riverside County Board of Directors to take any action to restrict biosolids land application based on mere perception or opinion before the NRC panel has had an

opportunity to assess the Part 503 regulations. In addition, we must point out that currently there is no evidence that land applying Class B biosolids in accordance with the Part 503 regulations poses any risk to human health or the environment. On behalf of our member agencies nationwide, we urge you to reconsider your planned actions to restrict the land application of Class B biosolids until you are able to make a complete and scientifically-based decision on the matter.

Sincerely,

Ken Kirk
Executive Director