H.303 comment
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Dear Chair Sheldon and Vice-Chair Labor,

Highly consequential H.303, An Act relating to the use of septage, sludge and biosolids, deserves to pass into law as originally written. - "This bill proposes to ban the land application of septage, sludge, and biosolids. The bill would also prohibit the sale of compost or other agricultural products containing or produced from septage, sludge, or biosolids."

I applaud your committee's efforts to reduce Vermonter's exposure to the harms of PFAS in H.238 and hope you will extend the same sensible principles to sludge, septage and biosolids. Now is the time to protect Vermonters from continued contamination from this ever-expanding class of chemicals.

The regulated practice of spreading Class B sludge for agricultural use is damaging lands and groundwater and must be stopped, "Since 2019, Vermont has discovered PFAS contamination in groundwater at 31 locations where biosolids had been applied... Twohig said. That's about 23 percent of the locations tested… PFAS levels in groundwater came back as high as 340 parts per trillion." https://www.sevendaysvt.com/news/vermont-still-allows-farmers-to-spread-contaminated-sludge-on-fields-41816071#:~:text=Since%202019%2C%20Vermont%20has%20discovered,as%20340%20parts%20per%20trillion. This report only accounts for the sludge that is regulated. Our state allows for the unregulated spread and sale of EQ biosolids as is stated in the VT DEC Waste Management & Prevention Division Residual Waste & Emerging Contaminants Program https://dec.vermont.gov/sites/dec/files/wmp/residual/RMSWhitePaper20180507.pdf. If the regulated spread of sludge is exhibiting PFAS contamination, there is every reason to believe that the unregulated spread of Class A biosolids is doing similar harm. There is NO facility in Vermont that treats sludge or septage for PFAS, only pathogens and some heavy metals.

Due to the persistent nature of PFAS chemicals those lands where sludge and biosolids are spread are ruined for agricultural use. They don't dissipate over time, they don't breakdown, but they do partition to air and water and move to other locations, poisoning neighboring properties. The ANR maintains that "PFAS are ubiquitous" which isn't true… yet, but it will be if we don't halt actions that will make it so.

Vermont tests for only five PFAS in a class of around 15,000. I know that your committee is aware that the EPA has stated 4ppt is the Maximum Contaminant Level for PFOA and PFOS, while there is no safe exposure for them. But the combined chemical compounds have been found to cause more harm to humans than individual chemicals. https://www.theguardian.com/environment/2024/nov/01/pfas-mixtures-water-toxic#:~:text=Mixtures%20of%20different%20types%20of%20PFAS%20compounds,chemic

als%20is%20more%20dangerous%20than%20previously%20thought.&text=They%20have%20been%20linked%20to%20cancer%2C%20birth,a%20range%20of%20other%20serious%20health%20problems. The first step in mitigating PFAS in the environment will be to measure for the whole mass of molecules with tell tale carbon fluorine bonds rather than focusing on individual chemicals. Individual PFAS can be transformed into PFAS like PFOA and PFOS when exposed to microbes either when the sludge is being treated for pathogens or when it is land applied. "When treated biosolids are recycled as an agricultural amendment, the presence of precursor PFAS and transformations should be taken into consideration as part of an assessment of potential environmental risk." https://pmc.ncbi.nlm.nih.gov/articles/PMC10500628/#:~:text=When%20treated%20biosolids%20are%20recycled,assessment%20of%20potential%20environmental%20risk. This factor alone should be enough to persuade our legislature to ban the spread of sludge in any form. Because we don't test comprehensively, we are not fully aware of the extent of PFAS contamination that has already occurred on the land, groundwater or air.

In short, **there is no beneficial use for biosolids or sludge**. This has been tragically demonstrated in Maine, Texas and in many locations across the nation. Use of biosolids, because of their PFAS content, is a toxic pipeline to our food. Maine and Connecticut have banned the use of it, now it's our turn. Until we have a method of removing PFAS from wastewater, there is no safe use for sludge. It must be disposed of as the toxic waste it is.

Far greater tonnage of sludge from out of state are deposited in the Coventry landfill than in-state. https://dec.vermont.gov/sites/dec/files/wmp/SolidWaste/Documents/2021DiversionAndDisposalReport.pdf. If NEWSVT were to reduce the amount of imported sludge, there would be room in the landfill for our own. Disposal of sludge poses a long-term dilemma though, and Vermont needs to explore and construct new facilities for this purpose. Kicking the can down the road, delaying the acceptance of this responsibility and allowing land application of it serves no one. Catastrophic, permanent harm to our environment is inevitable.

Most importantly, equivocating about "beneficial" use of sludge and septage needs to end. There is no negotiating when it comes to poisoning our environment. We must ban their use to protect our farms and farmers from unrecoverable losses. After all, none of us wants to imagine Vermont without farms. Clean farmland, clean water and air are finite resources, especially in this small state and must be protected.