

John Uzupis and Synagro. My name is John Uzupis and I am the Technical Services Director for Synagro Central, LLC covering the Mid-Atlantic states, including PA. I thank the Committee today for their time, attention and allowing me the opportunity to speak.

I have been in the beneficial reuse of biosolids business for 25 years with an additional 10 years working at DEP regulating surface mining, including the use of biosolids for reclamation. Synagro has successfully reclaimed 1000's of surface mine acres with biosolids and eliminated the need for these sites to be reclaimed under the state's abandoned mine land funds. We have also provided biosolids to hundreds of farmers utilizing the material to improve their soils and lower their fertilizer costs. Some extra benefits occurred too such as when we were able to help a farmer control his fescue endophyte issue on his hay and pastureland, and another incident where we were able to rescue cows from starvation on a site where the farmer passed away unexpectedly.

In these Covid impacted times we are looking at unprecedented shortages in truck drivers, rising fuel costs and shortages of supplies, including parts to repair trucks and other equipment. Additionally, farmers are looking at significant fertilizer cost increases and availability issues. In a recent price quote for nitrogen fertilizer, for spring planting 2022, the price increase is approaching 300% compared to the previous year and diesel fuel is up nearly 50%. Our industry has continued to provide uninterrupted service during these Covid impacted times and hope to continue to be able to do so but wonder if this is the best time to be increasing trucking distances and limiting farmers fertilizer through changing the General Permits (GPs).

The fast-track sweeping permit changes proposed in the General Permits for the beneficial reuse of biosolids, while the Covid issues are still evolving, will further exacerbate these issues. Recovering the GP costs will be in addition to the rising costs already mentioned.

Before I discuss the proposed changes, I want to thank DEP. I appreciate their efforts and thank them for their training programs which helps Synagro instill a culture of compliance and their compliance assistance which helps us to develop compliance based operating procedures. Their regular inspection program also builds confidence in the public that the rules are being followed. I have concerns DEP does not have the staffing to continue providing the same level of training, oversight, and permit reviews to facilitate the increased workload created by the proposed changes.

Presently new Pre-draft General Permits have been proposed for the land application of biosolids which are the most sweeping changes to the program since the passage of 25 PA Code 271, Subchapter J in 1997. The sheer breadth of the changes presents challenges in determining all of the concerns and price impacts as one change feeds off of another. I estimate the costs increases to range from 30% to over 300%. The fast-tracked time frame with the release of the Pre-draft GPs in July to completion by December leaves no time for a fair shake out of costs.

Earlier I mentioned a culture of compliance and compliance based operating systems. The resulting framework of requirements for the changes in the Pre-draft GPs will be a confusing blend of regulation, permit conditions, and guidance documents. Some regulations are revised, new requirements are added and new permits are not yet developed. This will be challenging to explain the legal construct to employees responsible for insuring day to day compliance where this is so much deviation between regulations and permit conditions.

Some of the major changes are for PFAS monitoring, digester utilization, P-Index and covered storage to name a few. Communities do not have an expectation to pay for PFAS treatment as PFAS are not used in the wastewater treatment process. Priority should be given to reducing known areas with high concentrations and eliminating use of PFAS- not singling out wastewater treatment plants that employ beneficial reuse.

Smaller wastewater treatment plants receive pricing efficiencies from the pooling of their materials to shared farms. The extensive P-Index documentation required will make the paperwork voluminous to these wastewater plants and will limit the ability to continue allowing shared farms to gain efficient pricing.

P-Index is a snapshot in time and the calculations have to be updated regularly. The unknown lifetime of the site will hinder investments in the site for improved storages. Current regulatory requirements already require \$25-\$50 thousand per improved storage facility. Most of the best management practices associated with phosphorus control are already incorporated into the biosolids regulations. For example, current regulations require an implemented conservation plan, water setback distance, and groundwater separation.

Significant research is underway throughout the world to extract phosphorus from biosolids and is ultimately the solution. High phosphorus soils take decades, with no additional application to the soil, to lower. Biosolids remain far less likely to be environmentally available compared to other phosphorus materials especially commercially mined phosphorus products. However, the P-Index encourages commercial phosphorus use over biosolids use. And all commercial phosphorus originates outside of PA watersheds.

Overall, the combined changes will discourage beneficial reuse. The alternatives to beneficial reuse are incineration and landfilling. It is physically impossible to add any new incineration capacity in PA in the near term. Remaining available landfilling capacity is unknown. We do know in the extraordinary precipitation events occurring over 2018 and 2019 left Synagro about a week away from utilizing landfills as far away as Georgia and Ohio to manage part of the biosolids that typically went for land application. We know there is not enough landfill capacity in PA for all biosolids produced.

Further landfilling is not without environmental issue. Large greenhouse gas emissions occur when biosolids are disposed in landfills. The emissions occur before landfill gas capture systems can be deployed. Additionally landfilling becomes more difficult during precipitation events and is not a seamless replacement for biosolids storage on farms. Landfills often reject biosolids first if odor issues arise at the plant. This can occur on any given day without notice further limiting operation options for biosolids.

In summary, adequate time and consideration is needed to determine the cost benefits of the proposed GPs. I support Representative Rigby's House Resolution 149 to require this be studied before changes are made to the GPs.

Thank you for your consideration of my comments.