

Testimony
Public Hearing on PA Biosolids Management Permit Revisions;
Environmental Resources and Energy Committee, Chair Daryl Metcalfe (R), Minority
Chair Greg Vitali (D)
Monday October 25, 2021, 9:30 am to 11:30 am
Irvis Office, Room G50, Commonwealth Avenue, Harrisburg, PA

Michael Kyle, Executive Director, Lancaster Area Sewer Authority

Good morning: Thank you Chairman Metcalfe, Minority Chairman Vitali and the entire Environmental Resources and Energy Committee, for the opportunity to make comments on the pre-draft revisions to the Commonwealth's General Permits.

My name is Mike Kyle, I am the Executive Director of the Lancaster Area Sewer Authority (or LASA) in Lancaster County. We are a regional sewer authority serving nine municipalities, including nearly 40,000 customers representing a population of about 120,000. We hold permits for both Class A (PAG-7) and Class B (PAG-8) Biosolids.

We are proud of our 50 year history of reliable service to what is now about a quarter of the population of Lancaster County. We serve the community by processing hauled waste at our treatment plant, including cost effective service to smaller treatment plants. Our growth and hauled waste services are essential to controlling rate increases for our residents and commercial customers.

For years we land applied un-digested Biosolids, but began receiving odor complaints and increasing (and well deserved) scrutiny from DEP. As a result, in 2014 we abandoned our land application program and began to

landfill 100% of our Biosolids, for a period of about seven years, totaling over 81,000 tons of material, forever lost to the landfill.

The LASA Board recognized the downside of landfilling, and in 2015 invested \$26 Million to upgrade our Biosolids operation to include anaerobic digestion, thermal drying, and covered on-site storage. The purpose of this upgrade, one of the costliest in LASA's history, was to get out of the landfill, avoid a tipping fee of over \$100,000 per year, and generate a Class A product for beneficial re-use under a General Permit, providing the farming community with low cost or free fertilizer.

In addition, we have budgeted more Millions for a high strength hauled waste receiving facility, to augment our digesters to produce more gas to offset power at the treatment plant.

The proposed revisions to the General Permits would adversely affect both of these projects, and result in increased costs to our community, and offset our gains in recycling and beneficial use, with little environmental benefit.

I would like to address just two elements of the proposed revisions – the PFAS testing requirements and the limitations on hauled waste.

PFAS: The pre-draft versions of both PAG-7 and PAG-8 propose sampling and analyzing Biosolids for PFAS at the same frequency as metals and PCBs, over the 10 year term of the permit. For LASA that would mean 6 PFAS tests per year, and at an estimate of \$1,700 per sample for collection and testing, it would cost LASA customers around \$100,000 over the 10 year permit term for PFAS testing.

While we support action to reduce PFAS in the environment, the proposed changes run counter to the important “polluter pays” principle. Although we would need to pass these testing costs for PFAS on to each of our customers, our treatment plant is not the source of PFAS.

We recommend that the approach to addressing PFAS in Biosolids be more holistic to identify sources of PFAS into wastewater systems and to control or eliminate them at the source through industrial pretreatment requirements, and not pass on the cost of remediation to everyone who flushes.

PFAS sampling and testing is technically difficult, and procedures in some cases are just being developed and approved. There are no PADEP accredited labs to run these very expensive tests. In addition, existing GPs require permittees to follow guidance in the PADEP Biosolids Sampling Manual, and at this time there is no information there about sampling equipment and procedures for PFAS testing or analysis.

PFAS monitoring requirements for treatment plants should be subject to a complete cost benefit analysis, encompassing economic, environmental and societal impacts. For example, PFAS monitoring would likely lead to less land application and more landfill disposal and incineration, which would result in more greenhouse gas generation. When Biosolids are incinerated PFAS are not destroyed, and could be released to the atmosphere. And can the current landfills and incinerators even handle the additional Biosolids?

In the end, any regulatory limits for PFAS should consider background PFAS levels in the environment and exposure to PFAS from sources other than Biosolids.

Hauled wastes: The proposed GP would require that hauled waste be discharged to the plant head works, not directly to the sludge handling process.

LASA accepts and treats millions of gallons of hauled waste per year at our treatment plant, much of it taken directly to sludge handling for processing. Our continued acceptance of these wastes is critical to the livelihood of about 30 haulers, many industries without on-site treatment, and smaller treatment plants with no solids handling capabilities. We use the \$500,000 per year in hauled waste tipping fees to maintain and improve the treatment facility, helping keep rates down for our customers. A loss of \$500,000 in revenue would result in about a 2.5% increase in rates across all of LASA's customers.

We are not aware of any information that supports an increased level of treatment or protection of the environment by sending all wastes through the head works of the plant. While blanket permit conditions for "all wastes" sounds good in theory, it is not feasible in the real world.

Wastewater treatment processes ahead of sludge handling, like screens, grit removal, and primary clarification, are not designed to treat certain hauled wastes such as food processing waste or treatment plant sludges. Taking these wastes through the head works would result not only in higher O/M costs, but could actually harm those processes.

If these wastes are declined for acceptance at treatment plants, where would they go?

We, and many others, would lose the benefits of accepting hauled waste – not only the revenue stream, but also accelerated digester performance and increased gas production for heat and power. Instead, these wastes would be diverted to landfills where they would create fugitive greenhouse gasses, or worse – they would be illegally dumped.

Again we request that a full analysis of costs and benefits be conducted, and that if these changes are still considered to be necessary, they will not be implemented until such an analysis is completed, and adequate processing and disposal alternatives are available. And we support House Resolution 149, which would hold off any changes in the General Permit until an economic impact study was completed.

Thank you for the opportunity to testify on this very important matter, and I am glad to answer any questions you may have.