

TRI-TAC LAND COMMITTEE

ISSUE SUMMARY

1. SWRCB BIOSOLIDS GENERAL ORDER (GO) & ENVIRONMENTAL IMPACT REPORT (EIR)

Summary

The General Order (GO) for the Land Application of Biosolids was adopted by the State Water Resources Control Board (SWRCB) on July 22nd. The GO allows for continued land application of biosolids (Class B and Class A) in California via a general permit mechanism. There are two significant changes to this GO. These changes are:

- The addition of policy language that articulates the SWRCB support of beneficial use options for biosolids management; and
- The additional of a mitigation measure to address the low potential for the presence of radioactive materials in biosolids.

Tri-TAC is currently working with the SWRCB on compliance guidelines for this new mitigation measure.

Background

A GO has been in effect in California since 2000. The GO was challenged on two occasions. On the first occasion, the Court upheld the GO and the underlying Program Environmental Impact Report (PEIR). Upon appeal, the Appellate Court directed the SWRCB to revise the PEIR by expanding the alternative analysis section to include a Class A only alternative and a food crop limitation alternative.

The revision of the PEIR was completed in February 2004 and a Draft PEIR was released for public review and comment. The Draft PEIR found that the land application of Class B biosolids was the environmentally superior alternative. Additional information on Draft PEIR public comment process can be found in the April 2004 CASA Biosolids Bulletin.

Upon conclusion of the public comment period a Final PEIR was prepared. The Final PEIR contains copies of all of the comment letters received by the SWRCB, the responses to these comments, and changes to the Draft PEIR that were made in response to the comments. Some of the changes to the Draft PEIR include: the incorporation of cost information to convert from Class B to Class A treatment technologies, as supplied

by wastewater treatment agencies; updated information on biosolids management practices in California, as supplied by the U.S. EPA Region IX; current information on landfill and ADC practices, as supplied by the California Integrated Waste Management Board; and a reference to an additional mitigation measure to be incorporated into the GO. The additional mitigation measure is discussed later in this article.

The Final PEIR was released for public review and comment in late June 2004 and a SWRCB workshop was held on July 7th. The written comment period closed on July 16th. On July 22nd, the SWRCB held a meeting where, after a brief public comment period, the SWRCB considered actions to decertify the original PEIR, vacate the existing GO, certify the current PEIR, and adopt the new GO.

At the conclusion of the oral comment period, the SWRCB voted unanimously to approve the proposed actions and a new GO was adopted. Four of the five Board members were present. These members were Chairman Baggett and members Carlton, Silva, and Sutley.

Content of the New GO

The GO has been revised from the Modified GO that was most recently in effect. The main revisions to the GO are the addition of a new mitigation measure and the incorporation of a policy statement.

What is the New Mitigation Measure?

A mitigation measure has been added address the potential for the presence of radioactive materials in biosolids. This was identified as an area of potential significance in the PEIR based on the review of the draft report prepared by the Interagency Steering Committee on Radiation Standards (ISCORS) titled "ISCORS Assessment of Radioactivity in Sewage Sludge: Recommendations on Management of Radioactive Materials in Sewage Sludge and Ash at Publicly Owned Treatment Works." This report can be accessed at <http://www.iscors.org/subcomms/sewage.html>.

The mitigation measure states that "Operators that produce land applied biosolids are to follow the recommendations contained in the ISCORS's November 2003 draft report entitled "Assessment of Radioactivity in Sewage Sludge: Recommendations on Management of Radioactive Materials in Sewage Sludge and Ash in Publicly Owned Treatment Works" (ISCORS Technical Report 2003-04), for screening, identification, and consultation."

Addition of a Policy Statement

A policy statement has been added to the GO that explicitly articulates the SWRCB's support of the beneficial use of biosolids. The policy statement reads:

"This General Order establishes a regulatory system to manage biosolids in a manner that is reasonably protective of public health and the environment to the extent of present scientific knowledge. The beneficial use of biosolids through land application under this General Order is environmentally sound and preferable to non-beneficial disposal."

Additional clarifying language from the adopting resolution further articulates the SWRCB's position on biosolids. This language reads:

“The SWRCB finds that the Class A Only Alternative is infeasible because it would restrict the options available to POTWs for the land application of biosolids and substantially increase their management costs. . .

“Having options available is necessary in order to enable POTWs to effectively manage their biosolids at a realistic cost. The health-related distinction between Class A biosolids and Class B biosolids, when applied subject to Part 503 regulations and the additional provisions of the GO, is negligible. Both result in essentially the same level of protection for the public. As discussed in the FEIR, there have been no documented cases of health impacts directly related to the land application of biosolids. Adoption of the Class A Only Alternative would create an additional economic burden for POTWs for negligible advantages in health and safety protections.”

[Excerpted from CASA Biosolids Newsletter, August 2004]

*Contact: Marlaigne Hudnall CASA
Current as of: September, 2004*

2. REGIONAL BIOSOLIDS PROCESSING FACILITIES

The concept of using regional biosolids processing facilities has been gaining attention in among California’s wastewater treatment agencies. The appeal of regional facilities stems from the need to diversify biosolids management options, the economies of scale that can be achieved with combined feedstocks, and the desire for sustainable management options.

A. BACWA’s WORK ON DEVELOPING A REGIONAL FACILITY

Eighteen wastewater treatment agencies in the San Francisco Bay Area have pursued the conceptual feasibility of developing a Regional Biosolids Processing Facility. The main impetus for proceeding with this study is the increasingly restrictive environment for recycling biosolids via land application and associated anticipated biosolids management cost increases. The majority of the agencies participating in the study have very limited biosolids management options in place.

The participating agencies have recognized there are potential synergies and benefits associated with developing a regional solution to biosolids management, including:

- Economies of scale; especially compared to each POTW developing and operating its own processing facilities or Class A solids handling facilities;
- Enables larger agencies to diversify beneficial use and disposal options;
- Provides a viable alternative for smaller agencies that have less biosolids and therefore less influence in the market;
- Assurance that biosolids products can be locally developed and beneficially used, which supports the credibility of Bay Area POTWs;
- Relative ease of permitting a single facility versus multiple facilities; and

- Reduction in competition among agencies for marketing of similar products

The feasibility study, which was completed in July 2004 and led by the Bay Area Clean Water Agencies (BACWA) Biosolids Committee, evaluated a range of potential technologies, sites for facilities, and governance structures for implementation of a regional biosolids management program.

The Committee has determined that a Regional Biosolids Facility is feasible based on the following factors:

- There is interest in the facility from a broad cross-section of Bay Area wastewater agencies.
- Technologies have been identified that are suitable for a regional facility.
- There are available sites within the 9-county Bay area to accommodate a regional facility.
- There appears to be agreement on conceptual governance issues related to a regional facility.

The next phase of the project will refine the governance structure for the project as well as the siting and technology analysis. It is expected this work will be completed in the spring of 2005. At that point, detailed facility planning and environmental documentation will be started.

Update: The BACWA Board approved at its September meeting a consultant contract with CH2MHill for entering into the second phase of work. Work will begin in August.

Second Update: Two workshops were held in November. The first focused on governance issues and the second on technologies that are being considered. Site visits are scheduled in December. Additional workshops on both governance, technology and siting will occur after the first of the year.

[Excerpted from CASA Biosolids Newsletter, August 2004]

Contact: Maura Bonnarens, EBMUD

Last Updated: November 2004

B. SOUTHERN CALIFORNIA AGENCIES PURSUE MULTIPLE SOLUTIONS

Southern California wastewater agencies were surveyed by SCAP to determine the level of interest in the development of multi-agency-owned biosolids processing facilities. Even with current beneficial use contracts having a relatively short reliable life expectancy, the thirty-four agencies that responded to the survey revealed a minimal interest, at best, to participate in such an arrangement. The rationale for this response is that private industry, or merchant facilities (as well as a few agency projects) have already begun to develop future biosolids management opportunities for southern California's biosolids management.

The ability to contract with merchants who are currently capable or in the process of developing technologies to further process biosolids to the level needed to participate in more reliable markets will be a critical component of southern California's biosolids management future. The merchant facility alternatives must be pursued to bridge the gap between the phase-out of existing beneficial use alternatives and the implementation of agency-owned and agency-operated processing facilities that would take several years to develop.

Southern California's agencies must keep in mind the following limitations regarding the reliance on merchant facility options:

- There are a limited number of merchant facilities in a position to implement an operational biosolids management technology within an estimated 3-year window at which time new options are anticipated to be necessary.
- There are a limited number of agency commitments to and/or there is limited agency interest in these regional merchant facility proposals, which may result in a business decision by the merchant facility developers to forego continued investment and development.
- The commitment to the regional merchant facilities may need to be made for from ten-to-twenty years to make participation in those facilities viable.

Fortunately, progress is being made towards the development of regional biosolids management facilities. A few examples include the commitment of approximately 500 tons of biosolids per day to a newly-permitted and designed composting facility in Kern County, letters of interest in a biosolids-to-energy facility in San Bernardino County and the IEUA and LACSD regional composting facility in Rancho Cucamonga.

The key to the success of these facilities is to make sure that the potential merchant and public facilities are acceptable to the public, and have both established markets and permitted sites.

SCAP will be holding a workshop on Tuesday, September 28th at EMWD to discuss emerging biosolids management technologies. The information garnered from this workshop should be valuable to those SCAP-member agencies that are looking for long-term biosolids management options in order to diversify their existing program.

[Excerpted from CASA Biosolids Newsletter, August 2004]

Contact: Layne Baroldi, OCSD

Current as of: September 2004

3. EPA Ongoing Projects to Respond to NAS July 2002 Report

EPA announced in the 12-31-03 Federal Register its final action plan to address the recommendations made in the National Research Council's July 2002 report on the land application of biosolids. Included in the plan are 14 specific projects to enhance its ongoing research and outreach activities. EPA is also presenting the results of its review of existing biosolids regulations to identify additional pollutants for potential future regulations. Based on a screening assessment of chemical pollutants for which EPA had adequate data the Agency has identified 15 pollutants for possible regulation. The final action plan is described in detail in Section VII of the FR notice.

EPA identified 14 specific projects in Section VII of the Federal Register notice that it will initiate over the next 2-3 years. They include:

- Project 1: Biennial Review Under CWA Section 405(d)(2)(C)
- Project 2: Compliance Assistance and Enforcement Actions
- Project 3a: Optimization of the Method for Detecting, Enumerating, and Determining the Viability of *Ascaris* Ova in Biosolids
- Project 3b: Improved Methods for Detecting Viruses in Biosolids
- Project 3c: Development and Validation of Analytical Methods for Fecal Coliform in Biosolids
- Project 3d: Development and Validation of Analytical Methods for *Salmonella* in Biosolids
- Project 4: Field Studies of Application of Treated Biosolids
- Project 5: Targeted National Survey of Pollutants in Biosolids
- Project 6: Participate in an Incident Tracking Workshop
- Project 7: Conduct Exposure Measurement Workshop
- Project 8: Assess the Quality and Utility of Data, Tools and Methodologies to Conduct Microbial Risk Assessments on Pathogens
- Project 9: Support Pathogen Equivalency Committee
- Project 10: Development and Application of Analytical Methods for Detecting Pharmaceutical and Personal Care Products in Biosolids
- Project 11: Publish the Proceedings of USEPA-USDA Workshop on Emerging Infectious Disease Agents and Issues Associated with Animal Manures, Biosolids, and Other Similar By-Products
- Project 12: Support Sustainable Land Application Conference
- Project 13: Review Criteria for Molybdenum in Land-applied Treated Biosolids

- Project 14: Improve Stakeholder Involvement and Risk Communication

EPA stated that these 14 projects and associated activities will strengthen the biosolids program by improving the Agency's ability to:

- Measure pollutants of interest;
- Determine the risks posed by contaminants identified as potentially hazardous;
- Bring various stakeholder groups together via a workshop to begin development of a national incidence tracking system to ultimately determine health effects following land application of biosolids;
- Better understand and characterize the odors, volatile chemicals, and bioaerosols that may be emitted from land application sites;
- Better understand the effectiveness of biosolids processes and management practices to control pathogens;
- Improve the Agency's inspection and compliance initiatives; and
- Improve stakeholders' involvement in EPA's biosolids program.

Section 405(d)(2)(C) of the Clean Water Act requires that EPA review the biosolids regulations for the purpose of identifying additional pollutants and promulgating regulations for such pollutants consistent with the requirements of section 405(d). As part of its biennial review, EPA also identified 15 pollutants for further review. They include: acetone, anthracene, barium, beryllium, carbon disulfide, 4-chloroaniline, diazinon, fluoranthene, manganese, methyl ethyl ketone, nitrate, nitrite, phenol, pyrene, and silver. These identified 15 pollutants do not mean that EPA has concluded that these pollutants in biosolids adversely affect human health or the environment. Some, or perhaps even all, of these pollutants may not be present in concentrations that warrant regulation; or a refined risk assessment may indicate that there is insufficient risk to human health or the environment to warrant regulation.

(Excerpted from National Biosolids Partnership Release 1/04)

*Contact: Bonnie Jones, SFPUC
Current as of: January, 2004*

4. LOCAL ORDINANCES

Kern County

CASA v. County of Kern, et al.

With regard to the Kern County litigation, which again, addresses two separate ordinances that were adopted by the County of Kern and the Kern County Board of Supervisors restricting the land application of biosolids, we currently have two different cases that are pending as a result of the adoption of these ordinances.

(State Appeal - Fresno): The complaint that was filed challenging the Class B ban ordinance, Judge Vortmann of the Tulare County Superior Court entered judgment in favor of Kern County and the Kern County Board of Supervisors. This action is currently on appeal and we are in the briefing process. The appellate court requested a supplemental brief from the agencies. The agencies will submit the requested information by September 29th. Kern County has until October 4th to respond. It is expected that oral arguments will be heard in November or December, 2004.

(Federal Case): The case challenging various aspects of Kern County's Class A biosolids ordinance was dismissed on July 19, 2004. An appeal will not be filed. The court's focus was drawn to the question of whether the issues raised by this federal complaint were substantially identical to the issues raised in the prior state court action such that a decision on the merits in federal court would necessarily constitute a judgment reflecting on the correctness of the state court's legal conclusions and would therefore constitute a defacto appeal of the state court decision.

The Kern Water Agency and MWD

In November, 2002, the Kern Water Agency (KWA) raised "concerns" regarding the use of Class A Exceptional Quality biosolids in Kern County in a letter sent to the Kern County just prior to the adoption of the Class A biosolids ordinance. The Board of Supervisors tasked the Kern County Water Resources Committee to examine these concerns. The Kern County Water Resources Committee reviewed technical information and presentations on the use of Class A Exceptional Quality biosolids over useable groundwater (defined as groundwater having <1,000 ppm TDS) in Kern County in order to give a recommendation to the Kern County Board of Supervisors on further regulatory requirements. The Kern County Water Resources Committee's "draft" recommendation was to grandfather the existing sites that were located over "useable" groundwater and not allow for any new sites over useable groundwater to be permitted. KWA was not satisfied with the recommendation.

KWA is now working with MWD on a RFP developed to assist POTWs to assist in relocating existing biosolids land application sites that are over useable groundwater (<1,000 ppm TDS). KWA staff has completed an inventory of what they think are available land application sites located outside their area of concern. The RFP will solicit interest on the part of landowners and other "innovative options" for locations outside the area of concern. KWA has recognized that the RFP does not bind the POTWs to accept any particular proposal, although it requests that the POTWs consider in good faith any proposals that make good business sense. KWA recommends that a RFP review committee is formed that consist of representatives from each of the generators and representatives from KWA, MWD and other affected parties. KWA believes that a joint-review of the proposals will increase the likelihood of obtaining a viable solution to this issue.

Many issues of concern regarding this concept include contracts with current farmers and land application contractors and that these contracts may not be transferable to other sites. In some cases, significant financial commitments have been made to existing operations. The impact of the proposal on county permits and more particularly, Regional Board WDR's needs to be addressed.

Senator Florez

On Friday, August 20th, California State Senator Dean Florez (D-Shafter, Senate District 16) indicated in via a local press conference that he will introduce legislation in 2005 for a statewide ban on the land application of all forms of biosolids to protect public health and groundwater quality in Kern County. This announcement seemed to be a result of 1) a four-part local "news" report on biosolids, 2) the clean-up of debris-strewn Southern California greenwaste that was reported to be illegally dumped west of Delano, and 3) a very loudly expressed concern by Kern County Water Agency officials that Los Angeles-area or biosolids are being spread too close to groundwater aquifers. Florez said he will hold an "investigative hearing" in Delano Sept. 23 to get more information about the "dumping of Los Angeles-area waste" in Kern County. Florez said he knows it could be tough but he also wants to make the state's biosolids regulations stricter than the federal government's. That could include the banning the spreading of both Class A and Class B biosolids.

KGET Channel 17

In early August, the local NBC affiliate, KGET, broadcast a four-part "news" report on biosolids. The following quote from the second installment captured the essence of the entire report: "What goes in the toilet and flows out of a factory ends up being dumped on the fields in Kern County. Human waste and more, 368,574 tons of it are ending up on Kern County fields each year. And it's being dumped right where your drinking water comes from, on top of or right next to the underground water banks where our water is stored."

*Contact: Layne Baroldi OCSD/Bobbi Larson CASA
Current as of: September 2004*

Kings County

The Kings County biosolids ordinance allows for the use of Class A EQ biosolids until February 2006 and then only Class A EQ Biosolids in the compost form will be allowed. A lawsuit was filed against the ordinance. An appeal to the Board of Supervisors by the Orange Co. Sanitation District for extended time on their permit was heard on Nov. 6, 2001. Both McCarthy Family Farms and Orange County Sanitation District appealed for extended time for their Class B land application program. These appeals were denied.

Kings County has retained Mike Hogin (outside counsel used by Kern County) to assist them in the OCSD litigation. Kings County has filed a motion for summary judgment. OCSD has filed a petition to amend the complaint. The case will be heard in January, 2005.

*Contact: Layne Baroldi OCSD
Current as of: September, 2004*

Riverside County

In response to complaints and local demonstrations during biosolids land application at some sites, Riverside County is considering a revision of their ordinance that could possibly ban Class B biosolids. Regulators, generators, and applicators are meeting to address and resolve issues.

On March 20, 2001, after almost three hours of testimony, the Riverside County Board of Supervisors (Board) postponed their vote on two biosolids related agenda items; the approval of the Riverside County Health Services Agency's report on the "Health Effects Related to the use of Pesticides and Sewage Sludge" (Report), and the proposed prohibition of land application of biosolids on County owned land. The Report affirmed that the existing regulations provided adequate health and safety measures to protect the citizens of Riverside County finding that "[t]he minimal risk of disease transmission or causation makes the adoption of any additional mitigation, up to and including a full ban, a policy decision based on the quality of life issues as opposed to a Public Health necessity." The Report also determined that the quality of life issues "apply equally to the similar uses of manure." Subsequent to the Report, Riverside County staff concluded that virtually all complaints attributed to biosolids were the result of manure use.

The Board instructed staff to form a "Blue Ribbon Committee" to address the issues surrounding the land application of biosolids. The Committee will be limited to eight individuals, formed by the Board, from a pool of representatives of the Riverside County Farm Bureau, scientist from the University of California at Riverside, Riverside County regulators, concerned citizens and the biosolids industry. It is anticipated that the committee will provide a report to the Board within sixty days of its formation.

The "Blue Ribbon Committee" was to look at two issues: 1) a ban on land application of biosolids on publicly owned land and 2) a review of the Health Department Report. A preliminary report was due out of the group by June 5 2001 with the final due June 15, 2001.

A draft ordinance banning land application of Class B biosolids was made available October 24, 2001. Staff implemented a policy requiring half-mile setback of application of Class B material from all buildings. This effectively implemented a ban on all but 600 acres in the County. The final ordinance banning land application of Class B biosolids has been enacted. Land application in the County has ceased except for some in-County Class A solar dried biosolids. The Ordinance banning Class B biosolids land application was adopted in November 2001.

In response to local anti-biosolids activist comments on the National Academy of Science (NAS) biosolids Report, the Riverside County Board of Supervisors directed its Community Health Agency to review the NAS Report and to report back on August 13, 2002 on the Report's implications with regard to land application of biosolids in Riverside County. Specifically, staff recommended:

1. That the Prohibition of the land application of Class B Sludge, instituted under Riverside County Ordinance No. 812, and codified as County Code Chapter 8.129 remain in effect, and;

2. Riverside County Ordinance No. 812, codified as County Code Chapter 8.129, be amended, or an additional Ordinance be developed, to prohibit the land application of bulk (un-bagged) quantities of all Class A material.

Riverside County staff chose to emphasize the many “uncertainty” (i.e., need for additional research only, etc.) quotes found in the NAS report as a basis for their recommendation. These “uncertainties” included:

1. That the “unanswered questions about the safety, environmental effects and propriety of land application of sewage sludge” referenced in the 2001 Prohibition of Land Application of Class B Sludge remain unanswered, thus confirming support for the continued prohibition of the practice, and
2. Similar unanswered questions are raised regarding the safety of Class A sludge processing and application, which suggest consideration of restrictions, if not a similar outright prohibition.

In its staff report, Riverside County stressed that “additional scientific work is needed to reduce persistent uncertainty about the potential for adverse human effects from exposure to biosolids. There have been anecdotal allegations of disease, and many scientific advances have occurred since the Part 503 Rule was promulgated. To assure the public and to protect public health, there is a critical need to update the scientific basis for the rule to (1) ensure that the chemical and pathogen standards are supported by current scientific data and risk assessment methods, (2) demonstrate effective enforcement of the 503 rule, and (3) validate the effectiveness of biosolids management practices”.

“In Summary [Riverside County stated]:

- 1 We are unable to determine that the practice is safe,
- 2 We are unable to determine that the practice is unsafe, unhealthy or is otherwise responsible for public health impacts,
- 3 Standards must be developed using currently accepted, up-to-date scientifically valid analytical methods.”

The staff report went on to say “while there are a wide variety of processes that can be used to achieve Class A standards, none reduce heavy metals or chemicals; and with regard to the adequacy of the chemical risk analysis, the Report makes no distinction between Class A and Class B sludge. Absent other restrictions, there is a real potential that past or future applications of Class A sludge may include harmful chemicals for which the standards have not been established using current risk analysis standards, or for which standards were never adopted.”

During the public comment period, the Board heard from several speakers in opposition to a ban on Class A biosolids. No anti-biosolids comments were made. The speakers represented Synagro, Coachella Water District, the City of Corona, the Riverside County Farm Bureau, the University of Arizona (Dr. Chuck Gerba), Industrial Recycling Services, and Precision Soil Products. The speakers stressed waste diversion, lack of biosolids management options, increase in truck traffic, adverse impact on business, increased costs, etc. The Board, especially Supervisor Buster, was concerned over the importation of Class A biosolids and stressed that each county should manage its own biosolids.

The Board concurred with Staff's first recommendation to continue the ban on the land application of Class B biosolids but continued for 180 days a decision on the second recommendation, pending additional review of the NAS report by a yet to be assembled committee to be chaired by Dr. Gary Feldman, Director of the Riverside County Community Health Agency. It is expected that Dr. Ian Pepper, microbiologist from the University of Arizona and a member of the 16-member NAS Report team will be on Dr. Feldman's committee. As with the Class B biosolids committee, the committee to consist of members from farming, local POTWs, anti-biosolids activist, Synagro, Riverside County staff, and academia.

Update: Committee met on June 10, 2004. They discussed the monitoring plan as well as signage issues. They also discussed what indicators or pathogen testing should be done on biosolids "spot checks". Suggestion by group to include Salmonella, as this is recognized by stakeholders and the public. County added that monitoring program was established to generate public trust and provide assurance that biosolids meets Class A standards. Fecal coliform and/or salmonella may be tested during "spot checks", per frequency established in monitoring program. This language will be incorporated into monitoring program.

A Product Review Committee will be established after the Ordinance is enacted.

Next Steps

No need for committee to meet again. There was some discussion of a workshop. It was decided it was not necessary. Next hearing: September 14. County stressed importance of committee members to attend to voice support for Ordinance and Monitoring Program. Feldman may walk supervisors through Ordinance beforehand.

SECOND UPDATE:

The Riverside County Board of Supervisors approved the Ordinance No. 830 regulating Class A biosolids for use on agricultural land. There are four regulatory "tiers" based upon the odor and nuisance potential of the Class A product. It is interesting to note that the farmers on the committee have indicated that they will only use Tier 1 material due to regulatory burden of the other tiers and the desire to minimize the impacts to their neighbors. The placing of various Class A material into tiers will be made by a yet to be formed Odor panel. Tier 1 material will be required to have pre-registration and notification prior to delivery to the site, and be placed 100 feet away from potable wells and 50 feet away from public roads and property lines. Tier 1 will also require incorporation times (within 48 hours for sites less than 20 acres and 7 days for sites greater than 20 acres).

THIRD

UPDATE: The Ordinance is now in place and until the products are reviewed, all products will be treated as Tier 4, requiring a ½ mile buffer from homes and schools. The Product review panel was selected and includes 5 members from various stakeholder groups. They have met twice and have agreed on the protocol. They will begin reviewing products for classification and will start with those products currently being applied in Riverside County (i.e. solar dried material).

*Contact: Anne Briggs EMWD, Liz Ostoich Synagro
Current as of: January, 2005*

Solano County

The Solano County revised ordinance permitting the continued land application of Class B biosolids has been in effect since the Spring of 2003. As part of the revised ordinance, a Scientific Research Steering Ad-Hoc Committee was established to provide recommendations to the Solano County Department of Environmental Management (DEM) on how to best utilize the research and/or education funds provided for in the revised ordinance.

The committee was comprised of a full range of interested parties including concerned citizens, representatives of local citizen groups, farmers, regulators, elected officials, management contractor representatives, representatives from the wastewater treatment community, and CASA.

On September 23, 2003, the Solano County Department of Environmental Management presented a report on the activities of the ad-hoc committee and made recommendations to the Board of Supervisors. The recommendations were:

- Establish a fee to fund biosolids research/education and authorize DEM to administer the funds. The initial fee would be \$10/acre (approximately \$0.35/ton) and is estimated to result in \$10,000 - \$15,000 per year.
- Direct DEM staff to prepare an ordinance and resolution for Board approval to officially establish the fee amount onto the 2003-2004 fee schedule. The fee would be reviewed after a period of one year.

The five-member Board unanimously approved the staff recommendations.

On January 13, 2004, the Board of Supervisors adopted the \$10 per acre research fee recommended by staff. Community feedback regarding the land application during the recent spreading season was positive as were comments regarding the outreach efforts made by the wastewater treatment community. The sunset date on the current ordinance is October of 2007.

Update: Land Application commenced this season on April 15th and to date there has been only one citizen complaint (Denver Creek Water Quality). Synagro Technologies have completed applying the first field site and have started on an adjacent field. Posting of the fields has been assured by both SF PUC and County inspections.

Solano County Department of Environmental Management (DEM) has taken several samples of delivered Biosolids for fecal coliform analysis by the County Public Health Laboratory (in May) and BioVir (in June). SF PUC has done parallel sampling and had the samples analyzed by BioVir and SF PUC Water Quality Bureau Laboratory in Millbrae. Results are quite preliminary, however, there are indications that there may be some indicator regrowth by the time the material reaches the fields as compared with the measurements at the compliance point in the plant

Contact: Bonnie Jones SFPUC

Current as of: June, 2004