



"Cultivating a collaborative, sustainable, and equitable food system for all Maryland communities."

March 4, 2024
2024 SESSION SUPPORT TESTIMONY
SB 1074: Industrial Sludge Utilization Permit - Establishment

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COMMITTEE: Education, Energy, and the Environment
POSITION: Testimony in Support of Senate Bill 1074 with Amendments

Honorable Chair, Vice Chair, and Members of the Committee, thank you for the opportunity to submit this statement for the record **in support of Senate Bill 1074 with the MDA-submitted amendments.**

This letter is submitted on behalf of the Maryland Food System Resiliency Council. The Food System Resiliency Council was established by the Maryland General Assembly during the 2021 legislative session to bring together 33 appointed council members from across the state, all with different points of entry and expertise to work toward a more resilient food system. One of the key mandates of this Council is to develop equity and sustainability policy recommendations that affect Maryland's food system.

Industrial sludge, such as dissolved air flotation (DAF), is a byproduct from food processing facilities that contains nutrients that can be used as a soil amendment to grow crops and put organic-based nutrients back onto crop fields to increase our bio-circular economy. DAF is composed of flocculated solids, proteins, and fat (with their associated nutrients) that rise to the surface and removed by mechanical scraping during waste processing from food processing facilities.

Processing facilities that create industrial sludge, such as DAF, pay haulers to find farmers that can use the nutrients for crop production. The application of DAF as well as other chemical fertilizers or organic-based soil amendments are incorporated into a farmer's annual Nutrient Management Plan and submitted to Maryland Department of Agriculture (MDA) through an Annual Implementation Report. In Maryland, poultry-based DAF is generated at three poultry processing facilities. DAF application in Maryland is also from poultry processing facilities located in Delaware and Virginia. Most of the DAF Maryland receives is field applied as a soil amendment, with Dorchester and Wicomico counties receiving the highest concentration of DAF application from poultry processing facilities in Maryland. The sludge from DAF can also be used as a potential feedstock for anaerobic digesters and composting, with two Maryland digesters accepting DAF to co-digest with food waste and/or manure waste.

However, poorly executed DAF land application can cause smell and insect nuisances in surrounding communities, which prompted the updating of MDAs 'Nutrient Application Requirements' to include special requirements for land application of 'food processing residuals' in 2022 to decrease this odor, including anaerobic digestion, composting, injection, or incorporation of industrial sludge into the soil after application. The passage of **Senate Bill 1074 with the amendments proposed by MDA** would allow MDA to create a permitting process for the application of DAF and other industrial sludge. Ensuring that



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haulers of industrial sludge adhere to their permit requirements should reduce the number of reported nuisance complaints in surrounding communities and provide a pathway for addressing these complaints through a regulated permitting process.

Increased food resiliency can be increased by **passing SB 1074**, which establishes this industrial sludge permitting processing, creates a pathway for formal complaints, and ensures that industrial sludge application is congruent with best practices. This permitting process should increase our bio-circular economy of this soil amendment through decreased odor, insects, and other nuisances imposed on surrounding communities when there is improper application.

Thank you for the opportunity to share our support of **SB 1074**.

Michael J. Wilson
Co-Chair, Maryland Food System Resiliency Council