

HB 0991/SB 1074 RE: Dissolved Air Flotation (DAF) Systems

Dear Members of the Senate Committee on the Environment and Transportation:

I respectfully request your favorable vote on SB 1074 (HB 0991). The risks to the environment and its residents are simply too great for this bill not to pass.

A cursory review of the literature on DAF systems reveals that these are extremely complex systems. I believe much research should be done prior to any design approvals, setback requirements, materials involved, site review, etc. Pressurization, chemicals, appropriate sizing and placement, oversight, and inspections, and especially penalties for poor performance or negative impacts on the environment – all should be spelled out prior to approval.

DAF systems often violate their permits, as in the major spill in Hebron of March 6, 2023 (<https://www.cbf.org/blogs/save-the-bay/2023/12/stop-the-influx-of-industrial-sludge.html>; see: <https://www.wmdt.com/2023/03/mde-documents-reveal-more-about-hebron-daf-spill-chesapeake-bay-fdn-calls-for-investigation/>). Chesapeake Bay Executive Director, Alan Girard, said “Whether it’s transported, stored, or after it leaves the tank it’s applied on farm fields, all of that is expected to be accounted for by the state. Yet, it’s difficult, if not impossible, to get access to those records...Citizens in Wicomico County and the state of Maryland are left with burdens like these, where the material leaves an industrial facility, it arrives at a tank, there’s a major spill, and no one knows the source, its contents, whether it was tracked appropriately, and what its fate is going to be.” There is a clear lack of accountability with DAF systems. ***Penalties for permit violations should be specific and enforced.***

The University of Maryland’s 116-page document “Maryland Animal Waste Technology Assessment and Strategic Planning, September 2023,” contains much useful information, especially pages 20-26. For instance, most DAF sludge comes to Maryland from other states (mainly VA, DE, and PA); in fact, MD is a “major sink for DAF from both in-and out-of-state sources” because our laws are so lax.

Virginia, on the other hand, restricts the application of DAF residue spread in the state of Virginia, while at the same time allowing the construction of DAF systems. ***Virginia systems must meet many specifications, from hydraulic loading rates to various recycle ratios. Finally, “Dissolved air flotation units should be enclosed in a building. A positive air ventilation system and odor control shall be provided”*** (<https://law.lis.virginia.gov/admincode/title9/agency25/chapter790/section600>)

Respectfully submitted,

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