



House Environment and Transportation Committee

February 26, 2025

House Bill 909 – *Sewage Sludge Utilization Permits – Per- and Polyfluoroalkyl Substances – Concentration Limits*

**POSITION: OPPOSE**

Synagro WWT, Inc. (Synagro) is the largest recycler of organic by-products in the United States. Providing essential environmental solutions to over 600 public and private water and wastewater treatment facilities in the municipal and industrial sectors, the Company operates in every part of the nation, including Maryland, and employs more than 750 people. Synagro's direct land application and reclamation program is a proven, time-tested management approach, ensuring the beneficial use of biosolids and other suitable residuals. Synagro wishes to register its strong opposition for House Bill 909.

This bill limits sewage sludge utilization permits issued or renewed by the Maryland Department of the Environment (MDE) for applying sewage sludge to agricultural land to 1 microgram per kilogram or lesser levels adopted by the U.S. Environmental Protection Agency (EPA) or MDE. A limit at the one microgram per kilogram level – equivalent to 1 part per billion (ppb) – is an extraordinarily low level and represents a sudden and *de facto* ban on the land application of biosolids. A 1 ppb limit is overly restrictive, lacks scientific justification, and threatens the beneficial reuse of biosolids in agriculture.

Biosolids recycling is a well-established and regulated practice that provides essential nutrients to soils, reduces reliance on chemical fertilizers, and supports healthy crop production. Existing federal and state regulations, including those established by the EPA under 40 CFR Part 503, already set stringent safety standards for the treatment and application of biosolids. These standards have been developed through extensive scientific research and risk assessments to ensure the protection of human health and the environment.

The proposed 1 ppb limit is technically unfeasible, given current analytical detection limits and naturally occurring background levels of certain substances in organic material. Implementing such an extreme standard would effectively eliminate biosolids recycling, increase municipal disposal costs, and place unnecessary strain on landfills and incineration facilities – all without measurable environmental benefits.

Synagro acknowledges that the 1 ppb limit proposed in this legislation was most likely adopted from the draft risk assessment recently released by the EPA on January 14, 2025. However, we caution against adopting this limit into Maryland State law when the risk assessment is still in draft form and not fully scrutinized by the scientific and stakeholder communities. Nor does it express any impact to the general public. Synagro has been working closely with MDE on this issue for several years. In response, MDE released a [PFAS in Biosolids Regulatory Update](#) on August 20, 2024. This document is based on a comprehensive sampling of influent, effluent, and sewage sludge at wastewater treatment plants (WWTPs) in Maryland. Based on that data, MDE has provided the following guidance:

- If the level of PFOS or PFOA is 100 µg/kg or above, land application of the biosolids is recommended to be stopped.
- If PFOS or PFOA is at or above 50 µg/kg, but less than 100 µg/kg, the recommended

application rate for land application of biosolids must be lowered to 1.5 dry tons per acre or less.

- If PFOS or PFOA is at or above 20 µg/kg, but less than 50 µg/kg, the recommended application rate for land application of biosolids must be lowered to 3 dry tons per acre or less.
- Biosolids with a PFOS concentration below 20 µg/kg and a PFOA concentration below 20 µg/kg may be land applied with no additional requirements after submission of results.

The legislation unnecessarily goes well beyond the scientific sampling-based guidance developed by MDE. Additionally, the effective ban on land application of biosolids in Maryland creates a different enormous environmental challenge – the disposal of sewage sludge. Synagro understands that landfills or incinerators in Maryland currently do not accept sewage sludge. The only remaining option is transporting the sludge out-of-state, a costly and environmentally burdensome endeavor. If WWTPs suddenly need to dispose of all sewage sludge out-of-state, sewage costs will increase dramatically.

Lastly, the legislation does not consider the environmental impacts to the alternatives. Alternative disposal will result in release of PFAS into the environment, will lack any beneficial component, and will result in significantly higher greenhouse gas emissions and energy consumption.

Synagro is committed to ensuring that Maryland's biosolids program remains sustainable, practical, and protective of public health. We encourage the General Assembly to consider the broader economic impacts of this legislation and thoroughly consider alternatives and the consequences of the legislation as drafted. We respectfully request an **unfavorable** report.

**For more information call:**

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