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David L. Gadis, Chief Executive Officer

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY | 1385 CANAL STREET, SE | WASHINGTON, DC 20003

February 26, 2025

The Honorable Marc Korman
Chair, Environment and Transportation Committee
250 Taylor House Office Building
Annapolis, MD 21401

Re: Unfavorable – HB909 (Sewage Sludge Utilization Permits – Per-and Polyfluoroalkyl Substances – Concentration Limits)

Dear Chairman Korman:

The District of Columbia Water and Sewer Authority (DC Water) shares the concern over ubiquitous PFAS use in our society, and welcomes the opportunity to assist the Maryland Department of the Environment (MDE) in their existing program to limit PFAS release. On behalf of DC Water, I am writing to share concerns with HB 909, which would direct MDE to issue sewage sludge (biosolids) utilization permits for agricultural land application with a limit of 1 microgram per kilogram (equivalent to 1 part per billion, or ppb) for PFOS or PFOA. DC Water operates the Blue Plains Advanced Wastewater Treatment Plant with the mission of removing nutrients and carbon and keeping them out of the Chesapeake Bay. HB 909 would impact nearly every wastewater plant in the State including Blue Plains, which is geographically out of state but receives 40% of its substantial flow from Montgomery and Prince George's Counties. Maryland residents pay 40% of the capital and operating expenses for this regional facility. DC Water is not a for-profit utility, but rather an autonomous authority, and Blue Plains is funded entirely by its wastewater bills (including 40% by residents in MD). Ten years ago DC Water invested in thermal hydrolysis, digestion, and combined heat and power equipment ($470M, 40% from MD) to recover the nutrients and generate green energy in the form of heat and electricity (7 MW continuous electricity production and an equal amount of thermal energy). The high heat, high pressure system produces a Class A exceptional quality soil amendment product which we branded and trademarked as Bloom. DC Water is proud of the Bloom program, as we return Maryland carbon and nutrients back to the land from which it came, completing the natural cycle. In addition, the digester and Bloom program reduced our carbon footprint by a third, or approximately 50,000 MT CO_2e annually.

Because products containing PFAS compounds are ubiquitous, very small, background societal concentrations of PFOS and PFOA end up in municipal biosolids. These compounds are in products we use in our home every day at thousands of times higher concentrations than Bloom (see graphic below) and as a result, the average household dust has 10 times the PFAS in Bloom. To illustrate how low the concentrations are in Bloom, the PFOS and PFOA in Bloom are roughly at the same level as in the average American's blood serum. A farm field in MD receives as much PFOS from annual rainfall as from applying Bloom for corn growth. The proposed 1 ppb limit in this bill is lower than blood serum and is unachievable for any municipal biosolids. Additionally, University of Arizona studies found PFAS at levels higher than 1 ppb on farms that never received biosolids, indicating the ubiquitous nature of PFAS exposure in the environment.

Other states, including Maryland, set guidelines for biosolids reuse to ensure industrially impacted biosolids are prohibited but allow for municipal agencies to continue recycling biosolids with low concentrations of PFOS and PFOA. Along with the application rate recommendations, MDE requires municipalities to investigate and limit discharge from industrial facilities within their service area. This approach allows for continual improvement toward reducing the circulation of PFAS compounds in our society while still reaping the benefits of biosolids recycling.

PFAS Concentrations in Household Products, ug/kg or ppb

Dental Floss[8]	2,489,000
Ketchup[7]	58,000
Organic Pasta Sauce[7]	21,000
Cosmetic Foundation[6]	10,500
Smartwatch Wristbands[5]	800
Daycare Dust[4]	523
Pork Liver[3]	283

[3] Concentrations of perfluoroalkyl substances in foods and the dietary exposure among Taiwan general population and pregnant women, ScienceDirect
[4] Per- and polyfluoroalkyl substances in paired dust and carpets from childcare centers, PubMed (nih.gov)
[5] Smartwatch Wristbands, University of Notre Dame study as published in Environmental Science & Technology Letters
[6] Fluorinated Compounds in North American Cosmetics, Environmental Science & Technology Letters (acs.org)
[7] Toxic PFAS, the "Everywhere Chemicals," Are in Organic Pasta Sauce and Ketchup, Drugs, Pesticides, and Foodware, Sierra Club
[8] Dental Floss, Environmental Health News/Mamavation study
[9] PFAS in Biosolids: A Southern Arizona Case Study, The University of Arizona, 2020

This bill would drive up costs significantly for our Maryland residents whose sewage is routed to Blue Plains, and negatively affect affordability. If biosolids land application is de facto banned, local wastewater managers will need to find alternative options at much higher costs. At DC Water, we currently spend $5.7M annually on our biosolids program, but if land application is no longer available, DC Water will need to find landfill space (the only viable option), at an estimated $33M/yr, losing all the well-documented benefits of land application. This would translate into a 15% increase in residents water/sewer bill just at the outset, but would likely increase in cost due to the

scarcity of disposal options, as seen in Maine. DC Water objects to asking MD residents to pay more for biosolids management when the private industrial companies that make or use PFAS and profit from PFAS are paying nothing and still circulating these products into our system.

DC Water shares the concerns over PFAS in our lives. The solution to our societal PFAS issue is source control, both at the industrial and residential points of entry. DC Water would welcome the opportunity to assist MDE in a campaign to educate residents on products they use that contain PFAS and alternatives to their use. A campaign such as this could have a significant impact on PFAS exposure levels and risk of contact. DC Water urges the Committee to consider the impacts on the State's wastewater plants and their customers and **Vote NO** on HB 909.

Please feel free to contact me with any questions at james.fotouhi@dcwater.com or 202-787-4723.

Sincerely,

James Fotouhi,
Program Manager – Resource Recovery
DC Water

cc: Environment and Transportation Committee Members
HB 909 Sponsor