



## HB925 - Sewage Sludge - Per- and Polyfluoroalkyl Substances - Regulation

Hearing date: Wednesday 25, 2026

### Position: FAVORABLE

Dear Chair Korman and members of the Environment & Transportation Committee:

Waterkeepers Chesapeake and the below signed organizations respectfully request a FAVORABLE report on HB925 which establishes a long-overdue limit on toxic PFAS found in sewage sludge (known as biosolids) that is used as fertilizer and spread on Maryland’s farm fields, as well as identify and mitigate upstream sources of PFAS pollution before it reaches wastewater treatment plants.

### The Problem

Sewage sludge is the solid waste produced during the treatment of municipal, human, and industrial wastewater. In Maryland, sewage sludge — including some from out-of-state facilities — is used as fertilizer on farms. However, sewage sludge often contains pathogens and toxic substances, including PFAS chemicals, also known as “forever chemicals.” While existing Maryland regulations prohibit immediate grazing, row crop consumption, and public access to treated fields, these measures fall short when sewage sludge contains PFOS and PFOA, two highly toxic PFAS compounds that persist in the environment and pose significant risks to human and ecological health.

During treatment, these chemicals concentrate in sewage sludge, which is often spread on agricultural fields. Maryland's sewage sludge permits allow waste from multiple facilities to be applied to single fields, heightening the risk of contamination.

Sewage sludge containing PFAS runs off farm fields into rivers and streams and filters into groundwater, contaminating the drinking water sources for farmers and their neighbors. PFAS also bioaccumulates in fish<sup>1</sup> and wildlife, and is stored in milk, as well as certain fruits and vegetables.

States across the country are working to pass policies that protect human and environmental health from toxic PFAS in sewage sludge. Following their lead, Maryland began testing sewage sludge and found significant PFAS levels. While the state has recommended guidance on PFOS and PFOA levels in sewage sludge, they lack necessary regulatory authority.

Since 2003, EPA has known that sewage sludge can contain alarming levels of PFAS. In a 2018 report, the Environmental Protection Agency's (EPA) Inspector General accused the agency of failing to properly regulate biosolids.<sup>2</sup> However, it wasn't until January 2025 that the EPA's draft Sewage Sludge Risk Assessment was released<sup>3</sup>. It highlights the severe risks posed by PFOS and PFOA levels as low as 1–5 parts per billion, linking exposure to contaminated water, wildlife, and crops to serious health issues, including immune dysfunction, thyroid disease, and cancer.

## What the Bill Does

- **Tiered Protections for Maryland Farms**
  - **> 50 ppb (combined PFOA + PFOS):** no land application permitted
  - **25-49 ppb:** Utilities must develop a Mitigation Plan and temporary management requirements (e.g. setbacks, buffers, reduced application rates) may also apply
  - **< 25 ppb: no restrictions**
- **Stopping Pollution at the Source**
  - **Source tracking:** If sewage sludge tests over 25 ppb, wastewater treatment plants (WWTPs) must conduct a study to identify the source, enabling PFAS to be stopped at the source.
  - **Industrial Pretreatment Standards:** MDE's and local jurisdictions' authority to set pretreatment standards is clarified and enhanced.

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<sup>1</sup> Land Use Associations and Sources of PFAS in Smallmouth Bass in Chesapeake Bay Watershed, Vicki Blazer, USGS, presentation at Maryland Pesticide Education Network conference, December 2024

[https://mdpestnet.org/wp-content/uploads/2025/01/Blazer\\_Assoc.-PFAS-in-Smallmouth-Bass.pdf](https://mdpestnet.org/wp-content/uploads/2025/01/Blazer_Assoc.-PFAS-in-Smallmouth-Bass.pdf)

<sup>2</sup> [The EPA Promotes Toxic Fertilizer. 3M Told It of Risks Years Ago](#), New York Times, Hiroko Tabuchi, December 27, 2024

<sup>3</sup> EPA's Draft Sewage Sludge Risk Assessment for Perfluorooctanoic Acid (PFOA) and Perfluorooctane Sulfonic Acid (PFOS), January 2025

<https://www.epa.gov/biosolids/draft-sewage-sludge-risk-assessment-perfluorooctanoic-acid-pfoa-and-perfluorooctane>

- **Polluter Pays:** Local jurisdictions can set rates and fees for industrial users discharging PFAS.
- **Operational Flexibility for WWTPs:**
  - **Blending Authority:** WWTPs are allowed to blend sludge from multiple sources to dilute PFAS to below 25 ppb until Sept. 29, 2029.
  - **Transitional Application:** Facilities with levels of 25-49 ppb can land apply for up to 12 months at a reduced rate and with setbacks while developing mitigation plans.

Farmers and watermen are sounding the alarm<sup>4</sup> and filing lawsuits<sup>5</sup>. We should act now. Maryland can't wait for the EPA and must take stronger action to safeguard its drinking water sources, environment and the health of our farmers and communities. While there is no known safe level, this bill takes a significant step to lower health risks, and identify and mitigate sources of PFAS before getting to wastewater treatment plants. Waterkeepers Chesapeake and the below signed organizations urge this committee to issue a FAVORABLE report on HB925.

Respectfully,  
Robin Broder, Acting Executive Director  
Waterkeepers Chesapeake  
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Betsy Nicholas, President  
Brent Walls, Upper Potomac Riverkeeper  
Dean Naujoks, Potomac Riverkeeper  
Potomac Riverkeeper Network

Matt Pluta, Choptank Riverkeeper & Director of Riverkeeper Programs  
ShoreRivers

Elle Bassett, West, Rhode & South Riverkeeper  
Arundel Rivers Federation

Alice Volpitta, Baltimore Harbor Waterkeeper  
Blue Water Baltimore

Taylor Swanson, Executive Director & Assateague Coastkeeper  
Assateague Coastal Trust

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<sup>4</sup> [Beware of Biosolids: Lack of Testing for Forever Chemicals Heightens Risk \[Opinion\]](#), Tom Venesky, Lancaster Farming, February 7, 2025

<sup>5</sup> EPA Sued to Remove PFAS from Biosolid Fertilizers, PEER, June 6, 2024, <https://peer.org/epa-sued-to-remove-pfas-from-biosolid-fertilizers/>

Theaux LeGardeur, Executive Director & Riverkeeper  
Gunpowder Riverkeeper

Ted Evgenaidis, Executive Director & Lower Susquehanna Riverkeeper  
Lower Susquehanna Riverkeeper Association

Sara Clades, Severn Riverkeeper  
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Trey Sherard, Anacostia Riverkeeper  
Anacostia Riverkeeper

Evan Isaacson, Senior Attorney, Director of Research  
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