



December 10, 2024

To: Minnesota Pollution Control Agency

From: St. Cloud Public Utilities

Re: Draft Minnesota Biosolids PFAS Strategy for Land Application Comments

The City of St. Cloud (City) appreciates Minnesota Pollution Control Agency's (MPCA) engagement with stakeholders prior to the release of the Draft Minnesota Biosolids PFAS Strategy for Land Application and through the review process prior to publication. The City attended the informational meeting, held on November 21, 2024, and has reviewed the Strategy and fact sheet documents. The City recognizes that this draft strategy will be impactful to the successful land application program that has been in place for many decades and, as a result, has provided the following comments.

## **1. General Comments**

The City acknowledges the need for addressing PFAS contamination in biosolids. The introduction of a tiered compliance structure allows for facilities with highly impacted product to make improvements and gain reduced application restrictions. The advancement of source identification and reduction work will likely lead to these gains. This City is supportive overall with the proposed tiered structure.

The Strategy requires alternative management of biosolids that are determined to be industrially impacted. With limited biosolids storage available, the inability to land apply product cannot be sustained for long periods without having an alternate destruction or disposal method. The City would encourage the MPCA to develop a list of alternative management strategies for facilities to utilize should the biosolids product be determined to be industrially impacted.

The Strategy indicates that detailed sample collection requirements will be provided to WWTFs. The City would appreciate the opportunity to review and provide comment on the detailed sampling plan once drafted.

## **2. Sampling Frequency**

The Strategy details that any WWTF that land applies biosolids in Minnesota must collect at least one biosolids sample and analyze it for PFAS in each year that they intend to land apply, prior to land application.

The Strategy does not provide enough detail related to sampling frequency. As written, the Strategy could be interpreted that a single, representative sample is all that is required. The MPCA Land Application of Biosolids Manual establishes a minimum sampling frequency based on the annual biosolids production rate with a stipulation that an enhanced monitoring schedule is required if metals concentrations exceed 50% of the defined ceiling concentrations. The Strategy does not give clear indication if the required number of PFAS samples follows the same tiered structure that is defined for routine biosolids monitoring. The Strategy also does not define if an



enhanced monitoring schedule would be required if a certain PFAS concentration was exceeded or perhaps if the results placed the facility in a specific tier. The City requests clarification on these points.

### **3. Data Management**

The Strategy does not provide detail on how sampling data is going to be managed for compliance purposes. Using one sampling event to represent multiple storage cells, over two hauling seasons, could be problematic. Subsampling from individual cells and compositing into a single sample could result in the entire product being placed in a higher tier when only one cell may have elevated results. The City requests that the final Strategy details what compliance mechanism would be in place if a facility decides to analyze one sample from each cell. Please consider including if each cell's data set would be treated individually, which is consistent with the routine monitoring requirements in the MPCA Land Application of Biosolids Manual, or if an average could be calculated, using available results, and reported to determine compliance.

### **4. Results Notifications – Tiers 2 and 3**

The Strategy outlines specific actions that are required in each Tier. Within Tier 4, the first action listed is that 'The WWTF must notify the MPCA and the landowner and farmer (if different than the landowner) within 24 hours of receiving the test results'. The Strategy has made it clear that land application cannot be completed without having received and reviewed the representative sampling results. The City questions why 24 hour notification would be required for product that would not have been land applied yet. This aggressive timeline would be hard to complete for several reasons. The first reason being that staff may not see the results come in, either by mail or email, within 24 hours of receipt. The second reason being that there are times, especially during the fall application season, that facilities may not have the field schedule completed that early as it is variable with crops being harvested. Contacting the landowners and farmers within 24 hours would not be feasible. The City would encourage updating the 24 hour notification requirement, as currently listed in Tier 3, to have notifications be completed within 10 days, as currently outlined in Tier 2.

Within Tier 2, the first action listed is that 'Prior to land application, the WWTF must provide the PFAS analytical results to the landowner and farmer (if different than the landowner) within 10 days.' It is unclear whether the 10 days is from the receipt of sample results or if it is 10 days before the anticipated start of land application. The City requests clarification.

### **5. Monitoring Timeline Feasibility**

The Strategy details that sampling results must be received prior to land application. This requirement may prove to be challenging for facilities. The Spring hauling season is often fast paced, with farmers anxious to plant crops ahead of insurance deadlines. Suspending application while waiting for results could lead to farmers declining to wait for product and facilities with product that cannot be recycled. This would be especially challenging if the required number of samples follows the minimum number of sampling events as defined in the MPCA Land Application of Biosolids Manual.