

December 12, 2024

Commissioner Katrina Kessler
Minnesota Pollution Control Agency
520 Lafayette Road
Saint Paul, MN 55155-4194

Dear Commissioner Kessler:

The Environmental Health Section of the Minnesota Department of Health appreciates the opportunity to provide comments on the PFAS in Biosolids Strategy (Strategy). As the lead public health agency in the state, we believe that our perspective on PFAS health effects, exposure pathways and fate in the environment may be helpful in finalizing the strategy.

First off, we believe the draft strategy provides a very good basis for understanding and communicating the degree to which PFAS may be present in biosolids designated for land application. The individual components of the Strategy will complement each other, and we expect it will help to limit the potential for inadvertent transfer of PFAS from biosolids into the environment.

Second, we understand that biosolids in general, and municipal biosolids in particular, are a societal problem. Wastewater utilities are the unfortunate recipients of PFAS from contributors in their collector systems. Accordingly, we applaud efforts to control this loading through pollution prevention efforts, and other approaches as outlined in the Strategy.

The comments presented below are informed by our knowledge and experience with 1) steadily decreasing health-based guidance information over the past two decades, 2) the high cost of treatment for PFAS removal in public drinking water systems, 3) the potential for PFAS to migrate from one media to another, and 4) significant uncertainty about the array of PFAS compounds that may be in biosolids. If there is one thing that we've learned about PFAS in over two decades of helping to manage the effects of PFAS in the environment, it is to expect the unexpected. And thus, we're going to offer comments designed to make the Strategy more protective, especially with respect to drinking water resources, than currently proposed.

We recommend the following strategies be incorporated into the Strategy:

1. Adapt the Strategy's response actions to restrict land application of biosolids containing any PFAS in vulnerable Drinking Water Supply Management Areas (DWSMAs). DWSMAs are state approved areas in and around drinking water wells and intakes, are the areas subject to the greatest focus with regard to protection of drinking water sources, and are readily available as a public dataset on the MDH website. High vulnerability DWSMAs are those areas with high and very high vulnerability to drinking water contamination from land use activities.
Geospatial data for DWSMAs is publicly available at:
<https://www.health.state.mn.us/communities/environment/water/swp/maps/index.htm>
2. Provide more detail on the sampling component of the Strategy. Currently the Strategy calls for a minimum of one sample of biosolids per facility per year. The strategy should contain additional information to guide those who must implement it – as well as to provide assurances to the public – that a single sample will be sufficiently representative. What collection measures could be used to assure sample collection is representative? How might associated wastewater discharge sampling inform timing (e.g., seasonality)? Under what circumstance might more than one sample be appropriate?
3. We believe that the communication component of the Strategy should be strengthened. The key target is the landowner who agrees to receive biosolids for land application. The communication materials should not just include laboratory analytical results but also information about the fate of PFAS in the environment and the known effects of PFAS on human health.

Thank you very much for the opportunity to present these comments. While we understand that there are significant challenges associated with the management and dispensation of biosolids from wastewater treatment facilities, we believe our comments to be well-grounded in science, and in accordance with the public's expectations regarding drinking water protection. We are happy to discuss these issues with you at a time of your choosing. Further, we expect the early findings that result from implementation of this Strategy, as well as evolving science, will warrant MPCA to adapt the Strategy in the future. We look forward to participating in that process.

Sincerely,

Tom Hogan
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