435 Williams Court
Suite 100
Baltimore, MD 21220
www.synagro.com

DECEMBER 10, 2024

RE: Comments on the Minnesota Biosolids PFAS Strategy for land application of biosolids

Submitted by: https://mpca.commentinput.com/

Dear Minnesota Pollution Control Agency:

Synagro is pleased to provide the enclosed comments on the proposed Per- and Polyfluoroalkyl Substances (PFAS) in biosolids strategy. Synagro has been providing biosolids and water treatment residuals management services since 1978 and operates projects throughout the United States. We currently provide biosolids land application services for the Metropolitan Council of Environmental Services at its Rogers Wastewater Treatment Plant (WWTP). Synagro's experience includes permitting land application sites, transporting and land applying biosolids, managing field operations, and performing monitoring, recordkeeping and reporting functions. We also have experience permitting, constructing and operating biosolids storage and treatment facilities (i.e. alkaline stabilization, digestion, heat drying and composting) and distribution and marketing of biosolids products.

We understand the need to provide guidance as to what the PFAS analysis received by the municipal wastewater treatment facilities (WWTFs) means. However, we believe that the legislative mandate was to develop a strategy to analyze biosolids under Minnesota Rules, part 7041.1500, subpart 3. The published strategy goes beyond the requirement of HF 3911 and is establishing land application restrictions for the biosolids that are only to be analyzed. With the USEPA PFAS in biosolids risk assessment being published this week, we would suggest waiting and using this additional information in informing development of rules that regulate PFAS in biosolids.

The tiers as written leave gaps, i.e., what happens when an analysis result shows 19.5 µg/kg, this would be greater than the Tier 1 value but less than the Tier 2 value. Recommend that the tiers be expressed as:

Tier 4: PFOA or PFOS concentrations ≥ 125 µg/kg
Tier 3: PFOA or PFOS concentrations ≥ 50 µg/kg - < 125 µg/kg
Toer 2: PFOA or PFOS concentrations ≥ 20 ug/kg - < 50 µg/kg
Tier 1: PFOA or PFOS concentrations < 20 µg/kg

Synagro also recommends some more discussion as to how the tiers would be calculated. Is the analysis treated as a ceiling concentration like 7041.1100 subp. 4.A or can a monthly average concentration be used as like 7041.1100 subp. 4.C? The strategy only requires analysis one-time per year regardless of the amount of biosolids produced, Is there an advantage to sampling more frequently for a larger WWTF?

Under Tier 3 the strategy requires that the WWTFs must notify MPCA, the landowner and farmer (if different that the landowner) within 24 hours of receiving the test results. Because the strategy requires that the sample be taken and analyzed, and the analysis results received prior to land application it is not clear who the landowner and farmer in this case would be since nothing is being land applied. We suggest that the 24-hour notification to the farmer and landowner be removed from Tier 3. The following

language for farmer notification is suggested for both Tier 2 and Tier 3 for consistency, ease of implementation and to ensure that the farmer and landowner receive the information and have time to understand it prior to biosolids being applied.

"At least 10 days prior to land application, the WWTF must provide the PFAS analytical results to the landowner and farmer (if different than the landowner) along with the MPCA contact information and additional information related to PFAS and PFAS work in Minnesota. The MPCA will make a template available containing this information."

Synagro greatly appreciates this opportunity to comment on the strategy. For any questions or discussion regarding our comments please contact myself at bmacleod@synagro.com (937) 361-0972 or Layne Baroldi at lbaroldi@synagro.com (714) 299-2943.

Sincerely,

Bruce MacLeod

Bruce Macleod
Technical Services Director

cc: Layne Baroldi, Synagro