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Taryn LaScola
Director, Division of Crop and Pest Services
Department of Agricultural Resources
251 Causeway Street
Suite 500
Boston, MA 02114

October 24, 2016

Re: Regulations at 330 CMR 3.00 – Plant Nutrient Application Requirements for Agricultural Land and Land Not Used for Agricultural Land

Dear Director LaScola:

The Massachusetts Water Resources Authority (MWRA) Advisory Board, whose statutory responsibility is to protect and advocate for the interests of the 60 communities we represent, has long advocated for the in-state, beneficial reuse of biosolids.

Toward this end the Advisory Board, along with many others, successfully advocated for the revision of the limits of molybdenum concentrations in biosolids.

This victory of establishing a science-based defensible limit of 40 mg/kg will allow in-state distribution of MWRA pellets to immediately increase from 4% to 30%, with an overall goal of distributing all pellets in state. Additionally, in-state distribution of biosolids will reduce distribution costs, reduce fossil fuel emissions by eliminating out-of-state shipping, and generate a local market within the Massachusetts economy (saving Commonwealth farmers anywhere from \$20 to \$50 an acre by using MWRA biosolid pellets).

Unfortunately, the positive economic and environmental gains outlined above are in jeopardy by the recent revisions to 330 CMR 3.00 for “Plant Nutrient Application Requirements for Agricultural Land and Land Not Used for Agricultural Land.”

The Advisory Board lauds DAR’s goal to regulate and enforce the registration and application of plant nutrients put on or in soil to reduce nutrient loadings to water bodies however all biosolids are not the same and need to be reviewed differently. MWRA’s biosolids are a by-product of de-watered, treated sludge which produce a biosolid that remains substantially insoluble in the presence of water (the ferrous chloride added in the digesters bonds with the phosphorous to produce a compound that remains substantially insoluble).

Let’s allow testing and science to determine if MWRA biosolids should be viewed differently.

Data and testing exists that backs up MWRA’s assertion that the biosolid remains substantially insoluble in the presence of water. Please review this data and request additional testing if needed. When proven to be accurate I will respectfully request that DAR include language in their regulations that provides an exemption for biosolids that have been demonstrated, by scientifically established methods, to contain organically bound nitrogen and chemically bound phosphorous

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Ultimately. This science-based exemption is a win for the environment, a win for the Massachusetts economy, and a win for the MWRA ratepayers.

The MWRA Advisory Board looks forward to working with you to provide a science-based exception for MWRA pellets.

If you have any questions or comments, please do not hesitate to contact me at Joseph.Favaloro@MWRAAdvisoryBoard.com.

Sincerely,

A handwritten signature in black ink that reads "Joseph E. Favaloro, Jr." The signature is written in a cursive, flowing style.

Joseph E Favaloro, Jr.
Executive Director, MWRA Advisory Board

CC: Lou Taverna – Chairman, MWRA Advisory Board
Fred Laskey – Executive Director, MWRA
Michael Hornbrook – Chief Operating Officer, MWRA
Carolyn Fiore – Chief Operating Officer, MWRA
Betsy Reilly – Environmental Quality Director, MWRA