



COMMONWEALTH of VIRGINIA
Office of the Governor

Jane H. Woods
Secretary of Health and Human Resources

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June 27, 2002

Dr. Lynton S. Land
125 Airstrip Lane
Post Office Box 539
Ophelia, Virginia 22530

Dear Dr. Land:

This is in reply to your recent letter concerning use and possible effects of land application of biosolids on the quality of shellfish harvesting waters. You have also attached a letter addressed to Robert B. Stroube, M.D., State Health Commissioner, concerning birds foraging on cropland that has received biosolids.

Virginia Department of Health (VDH) permits for the land application of biosolids are issued in accordance with the standards published in the *Biosolids Use Regulations (12 VAC 5-585 et seq.) (Regulations)*, designed to protect human health. These *Regulations* specify the information that is to be supplied with any application for a permit. Once site-specific information submitted with the application has been verified by VDH and found to be complete, a permit can be issued. The information verification process includes inspection of each proposed land application field. In addition, comments on the proposed sites are solicited from state and local agencies. Local governments are notified and supplied with the permit application, and public meetings are held to provide technical information related to the application. If information is received that would justify the removal of a proposed site from the permit application, that site would not be included in the issued permit. These requirements, including verification of biosolids quality and site-specific management practices, provide the necessary environmental and health protection specified in Section 32.1-164.5 of the *Code of Virginia*.

The *Regulations* are more restrictive than the EPA 503 Rule for the use of biosolids, which is based on risk assessment methods that include conservative measures to protect public health. However, as you are aware, the *Regulations* Advisory Committee is considering many of the concerns about the permitted land application of biosolids.

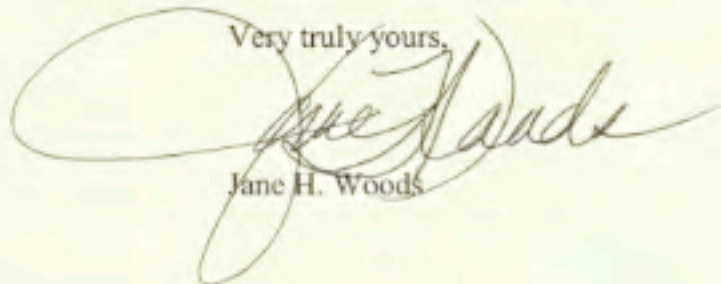
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As previously stated by VDH, there is no evidence that bird activity will contribute significant numbers of biosolids-borne microorganisms to adjacent waterways, especially when biosolids are incorporated into the soil. As shown in your photographs, it is apparent that birds are attracted to freshly tilled land, but the birds are in minimal contact with biosolids, as the material has been incorporated. In addition, VDH notes that staff has not observed the depicted bird activity shown in the photographs on sites where biosolids are surface applied onto grassland or hay fields and are not incorporated. Monitoring data reviewed by VDH has verified that the actual number of indicator microorganisms (Fecal Coliform) in biosolids land applied in Virginia is well below the Class B pathogen control standard specified in the *Regulations*.

VDH policies for permitting the land application of biosolids are a result of due consideration of over 30 years of research and field data concerning those practices. That experience has demonstrated that land application of biosolids, conducted in accordance with the *Regulations*, is safe and beneficial.

Should you desire further information, please contact C. M. Sawyer, Director, Division of Wastewater Engineering, VDH, 1500 East Main Street, Room 109, Richmond, Virginia 23219 by telephone at (804) 786-1755, FAX: (804) 786-5567, or e-mail: csawyer@vdh.state.va.us.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Jane H. Woods", is written over a large, light-colored circular stamp or watermark.

Jane H. Woods

JHW/cs