

P. O. Box 539
Ophelia VA 22530
April 28, 2011

Lisa Jackson, EPA Administrator
Ariel Rios Building
1200 Pennsylvania Avenue NW
Washington DC 20460

Dear Ms. Jackson,

Attached are my public comments regarding Virginia's proposed amendment of regulations pertaining to biosolids after transfer [to the Department of Environmental Quality] from the Virginia Department of Health. The proposed regulation changes are unsatisfactory and could have been written by the biosolids sector. Section 405a of the Federal Water Pollution Control Act dictates "... in the case where the disposal of sewage sludgewould result in **any** pollutant from such sewage sludge entering the navigable waters, such disposal is prohibited" (my emphasis). When phosphorus is disposed with no regard for the "... numerical limitations for each such pollutant ..." (Section 405d), which have been established in DCR's Virginia Nutrient Management Standards and Criteria, Revised 2005, there is absolute certainty that massive phosphorus pollution will occur in violation of the law. Only Phosphorus-based land application, using realistic annual agronomic crop removal rates, can minimize pollution and prevent the "... pollutant from such sewage sludge [P] entering the navigable waters." EPA is at fault for ignoring sound science, which clearly dictates that the goal of fertilization is to provide "... the right nutrients in the right amount at the right time in the right place." The current practice of Nitrogen-based land application guarantees massive phosphorus pollution and allows states in the Bay watershed to continue to foster cheap animal waste disposal, including poultry litter, to the scientifically certain detriment of water quality.

Yours sincerely,

Dr. Lynton S. Land
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