

PO Box 539  
Ophelia VA 22530  
Sept. 20, 2004

Jane H. Woods, Secretary of Health and Human Resources  
202 N. Ninth Street  
Richmond, Virginia 23219

Dear Sec. Woods,

I have become aware of an electronic transmission from you regarding sewage sludge application in Frederick County. You wrote:

**“3. To comply with nutrient management requirements, the biosolids must be applied at a rate that does not exceed the nutrient requirements for the crops to be grown that year.”**

Apparently you are unaware that 12VAC5-585-550.A, the second sentence of which reads "The applied nitrogen and phosphorus content of biosolids shall limited to amounts established to support crop growth." is not being enforced. VDH currently sanctions the application of sewage sludge to meet the nitrogen needs of the crop. Phosphorus is being ignored as Dr. Sawyer recently confirmed regarding a recent sludge application in Northumberland County, admitting to the Northumberland County Administrator Kenny Eades (and as reported in the Northumberland Echo 03/24/04 edition, p. 8) “The limiting factors included were only for nitrogen and lime. Phosphorus is not included.”

You need to be aware that the current VDH policy of applying sewage sludge to meet only the nitrogen needs of the crop, guaranteeing over-application of phosphorus, is a violation of Virginia Law and cannot be justified on either agricultural or environmental grounds.

Yours sincerely,

Dr. Lynton S. Land  
Emeritus Prof. Geological Sci, U. Texas Austin  
and Edwin Allday Chair in Subsurface Geology

cc: Gov. Mark Warner, Sec. Tayloe Murphy, Del. Albert Pollard