



COMMONWEALTH of VIRGINIA

Office of the Governor

Jane H. Woods
Secretary of Health and Human Resources

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December 27, 2004

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

Dear Dr. Land:

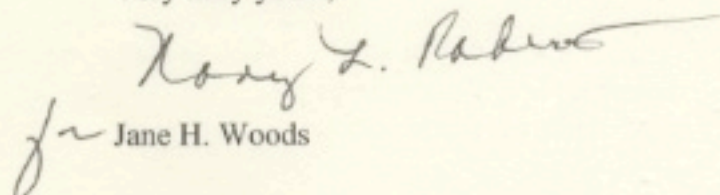
This is in reply to your recent letter to Governor Warner regarding nutrient management provisions contained in the Biosolids Use Regulations (12 VAC 5-585-550A). I understand that the Office of the Attorney General will respond to your question on enforcement issues.

In my December 22 reply to you, I addressed your concerns about the water quality impacts resulting from not restricting the land application of phosphorus (P) in fertilizers including biosolids, to just the amount needed to support crop growth (agronomic rates). As stated in that letter, we recognize the need to reduce or even eliminate excessive application of nutrients. However, such regulatory decisions must be based on the use of appropriate measures that have been validated through scientific studies, such as use of the P index for placing restrictions on applied phosphorus. The application of nitrogen is currently restricted to crop uptake as provided in the Biosolids Use Regulations (12 VAC 5-585-580).

Also, I pointed out that the Virginia Department of Health (VDH) has been working with its regulatory advisory committee (BURAC) to develop amendments to the Biosolids Use Regulations concerning nutrient management requirements. VDH will continue to rely on available scientific evidence to provide a basis for developing amendments to the Biosolids Use Regulations to ensure proper nutrient management is achieved with land application of biosolids.

Should you have questions or desire further information, please contact C. M. Sawyer, Director, Division of Wastewater Engineering, VDH, at (804) 864-7463.

Very truly yours,


for Jane H. Woods

JHW/cms