



Pennsylvania Septage Management Association

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Testimony of Ned Lang, President Pennsylvania Septage Management Association House Republican Policy Committee DEP's Proposed Biosolids Permit Changes

Good morning, Chairman Rowe, Representative Rigby, and members of the committee.

My name is Ned Lang, and I serve as President of the Pennsylvania Septage Management Association. Our members install, inspect, service, and maintain septic systems throughout Pennsylvania. We also work with farmers and landowners to recycle treated biosolids through land application.

Chairman David Rowe, thank you for holding this hearing on DEP's proposed changes to the Biosolid Permits (PAG-07 and PAG-08). I especially want to thank our host, Representative Jim Rigby, who has been a champion for consumers and exposing DEP programs and regulations that will drive up their costs and impact their bottom line. Our concerns center on PFAS, consumer costs, and the impact on agriculture.

We have three major issues with the proposed regulations, including: lack of information on PFAS exposure and what constitutes dangerous conditions, direct cost increases to consumers when biosolids cannot be land applied and must still be managed, and the detrimental impact on our agriculture industry by removing a tool that provides proven benefits to the soil and crops.

First, PFAS requirements should be based on measured levels and actual risk. PFAS have been used in everyday products, including food packaging, carpets, clothing, cosmetics, and personal care items. These chemicals enter wastewater systems from the homes and businesses they serve. Wastewater operators receive this contamination; they did not manufacture it.

The "PFAS by the Numbers" fact sheet illustrates how widespread these chemicals are. It reports a biosolids concentration of 23,000 parts per trillion, based on a California median, compared with substantially higher reported concentrations in certain consumer products. These figures come from different studies and do not directly establish exposure or health risk. They do show why reducing PFAS requires attention to the products and sources bringing these chemicals into wastewater.

Our members support protecting public health. DEP should focus on reducing PFAS at the source while collecting reliable data on concentrations and actual risks from biosolids land application.

EPA has acknowledged that its earlier draft biosolids risk assessment relied on assumptions too disconnected from real-world conditions. It has since issued voluntary draft guidance and is planning additional national data collection.

DEP should begin with a two-year monitoring period, evaluate Pennsylvania data and available federal findings, and focus on reducing PFAS at the source before imposing restrictions that could effectively eliminate land application.

Sending biosolids to landfills does not destroy PFAS. DEP must evaluate whether alternative disposal methods actually reduce exposure rather than simply move the material elsewhere.

Second, consumers need affordable services and reliable disposal options. The industry fact sheet estimates that Pennsylvania recycles approximately 762,000 tons of biosolids annually. It projects that eliminating land application would leave approximately 476,000 wet tons without an available in-state management outlet under the capacity assumptions studied.



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That is a serious challenge for municipal wastewater authorities, private operators, and their customers. Higher landfill fees, longer hauling distances, and additional storage or treatment costs will ultimately reach ratepayers.

The fact sheet reports that Maine's land application ban increased management costs by an average of 175 percent. Pennsylvania should fully examine its own likely costs before restricting existing outlets.

DEP's environmental justice policy emphasizes fair treatment and meaningful community involvement. We believe those principles should also guide DEP's review of the burdens created by its own decisions. Low-income households and people on fixed incomes have the least ability to absorb higher sewer bills.

DEP has applied its environmental justice policy to waste facilities, industrial facilities, and a wastewater authority to give affected communities a meaningful voice. We ask DEP to apply those same principles to the biosolids permit changes by involving municipal authorities and their ratepayers and evaluating higher sewer bills, added truck traffic, and impacts near alternative disposal facilities.

Long-distance trucking would also increase fuel use and greenhouse gas emissions. The fact sheet projects a substantial emissions increase if land application is severely restricted. DEP should include those consequences in its environmental analysis.

Our members will seek alternatives, but we cannot guarantee that disposal capacity will remain available as other states tighten their requirements. DEP needs a workable backup plan. Wastewater treatment cannot stop because there is nowhere to send biosolids.

Third, farmers will lose a valuable resource. Properly managed biosolids supply nutrients and organic matter, improve soil health, and reduce farmers' fertilizer expenses. Restricting their use will increase costs for both farmers and wastewater customers.

Additional application and storage requirements should be practical, clearly justified, and consistently enforced.

PSMA asks DEP to take four actions:

- **Start with two years of PFAS monitoring** and evaluate actual concentrations and risks before imposing restrictive limits.
- **Reduce PFAS at the source**, including industrial and commercial discharges, and support research and treatment options.
- **Provide a reliable disposal and transition plan**, supported by a full analysis of capacity, consumer costs, low-income household impacts, trucking emissions, and agricultural consequences.
- **Use formal rulemaking for major new requirements**, with meaningful public input, cost-benefit analysis, and independent and legislative review.

Our members support protecting public health and the environment. We ask for a practical approach that addresses PFAS while preserving affordable services, reliable biosolids management, and beneficial use on Pennsylvania farms.

Thank you for the opportunity to testify.