Bill as Introduced

HB 648-FN – AS INTRODUCED

1999 SESSION

99-0693
08/02

HOUSE BILL ***648-FN***

AN ACT relative to a sludge testing program.

SPONSORS: Rep. B. Hall, Hills 20

COMMITTEE: Environment and Agriculture

ANALYSIS

This bill allows sampling and testing of sludge and biosolid materials to be conducted by independent third parties as well as the state. The sampling methodology designed by the department shall be with the consultation of university of New Hampshire statisticians and sludge and biosolids experts. The department shall make available to the public and general court a report by November 1 each year which analyzes the compiled test results.

This bill also permits the fee assessed annually to sludge quality certification holders to be adjusted by the department, provided the fee but shall be not less than $500 annually.

Explanation: Matter added to current law appears in ***bold italics.***
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

HB 648-FN – AS INTRODUCED

99-0693
08/02

STATE OF NEW HAMPSHIRE

In the Year of Our Lord One Thousand Nine Hundred and Ninety-Nine

AN ACT relative to a sludge testing program.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 Waste Disposal; Duties of Division; Sludge Testing Program. RSA 485-A:4, XVI-c is repealed and reenacted to read as follows:

XVI-c. (a) To design and implement a program, as determined by rules adopted under RSA 541-A, for state or independent third party sampling and testing of sludge or biosolid materials that are intended for land application. The department shall design the sampling methodology, in consultation with university of New Hampshire statisticians and sludge and biosolid experts, to provide a statistically sound description of the contaminant levels contained in sludge or biosolids. The department shall concentrate it testing on those contaminants that pose greater risks to public health and the environment due to their toxicity, potential availability, concentration levels, or concentration uncertainty. The department shall maintain a database of testing results and prepare, in consultation with university of New Hampshire statisticians and sludge and biosolid experts, and make available to the public and the general court, an annual report by November 1 of each year which analyses the compiled test results to date. The analysis shall detail contaminant concentrations on both a statewide and generator level and shall indicate the degree of certainty in the analytical results. The department shall attempt to present the report in terms that are understandable to the layperson including practical examples such as the probability that any given load of untested sludge exceeds a contaminant standard.

(b) The department shall establish a fee of not less than $500, to be paid by sludge quality certificate holders by January 1 of each year. The fee shall be deposited in a special, nonlapsing account for exclusive use by the department to implement the program established in this paragraph. In determining the fee, the department shall consider the costs of testing required of certification holders by department rules adopted under RSA 485-A:4, XVI-b. [The department shall adjust this regulatorily imposed cost, as necessary, and set the fee under this paragraph so that the combined testing programs will provide the department with sufficient information of sufficient reliability to determine with assurance that the sludge or biosolids applied to land in the state comply with the department's contaminant standards, while minimizing costs to certificate holders.] Costs to certificate holders shall include the costs of performing department required testing under RSA 485-A:4, XVI-b, the fee established pursuant to this paragraph, and costs associated with increased appropriation to spreading sludge or biosolids on land, due to public uncertainty over sludge quality assurance. The department shall consult with certificate holders and other interested parties in establishing the fee under this paragraph.

2 New Paragraph; Duties of Division; On-Site Inspections. Amend RSA 485-A:4 by inserting after paragraph XVI-c the following new paragraph:

XVI-d. To conduct on-site inspections of sludge or biosolid application sites to monitor adherence to all state and federal requirements for such activity.

3 Effective Date. This act shall take effect July 1, 1999.

LBAO
99-0693
2/16/99

HB 648-FN - FISCAL NOTE

AN ACT relative to a sludge testing program.

FISCAL IMPACT:

The Department of Environmental Services stated this bill will increase state revenue and expenditures and local expenditures by $273,000 in FY 2000 and by $378,000 each year thereafter. There will be no fiscal impact on county expenditures or county and local revenue.

METHODOLOGY:

The Department estimate assumes there are 14 municipal wastewater treatment facilities (WWTF) which routinely land apply sludge and hold Sludge Quality Certification (SQC) for land application of sludge. On average, 12 sludge samples per, year per WWTF will be required to accomplish the analyses required by this bill, and in FY 2000, four of these samples are already required for an SQC by the sludge management rules. It is assumed the type of analyses required will be the same as those required of sludge samples for an SQC, and the cost of this suite of analyses is $2,500. All the costs to the Department will be contract costs to a laboratory to perform and report the results of the analyses. The cost will be offset by revenue from payments by municipalities. The existing fee of $500 per SQC holder, will be redirected to cover a portion of the new testing costs. Therefor, in FY 2000, 12 samples at $2,500, less the 4 samples (reduced to 1 in FY 2001 and each year thereafter) already performed at $2,500, less the $500 redirected fee for the 14 WWTFs, will result in increased expenditures and revenue of $273,000 annually.

Amendments

Rep. B. Hall, Hills. 20
Rep. Phinizy, Sull. 7
October 25, 1999
1999-2178h
08/09

Amendment to HB 648-FN

Amend the bill by replacing all after the enacting clause with the following:

1 Waste Disposal; Duties of Department; Sludge Testing Program. RSA 485-A:4, XVI-c is repealed and reenacted to read as follows:

XVI-c.(a) To design and implement a program for state or independent third party sampling and testing of sludge or biosolid materials that are intended for land application. The department shall design the sampling methodology, in consultation with university of New Hampshire statisticians and sludge and biosolid experts, to provide a statistical evaluation of the contaminant levels contained in sludge or biosolids. The department shall concentrate its testing on those contaminants that pose greater risks to public health and the environment due to their toxicity, potential availability, concentration levels, or concentration uncertainty. The department shall maintain a database of testing results and prepare, in consultation with university of New Hampshire statisticians and sludge and biosolid experts, and make available to the public and the general court, an annual report by November 1 of each year which analyses the compiled test results, including data from prior years, as appropriate. The analysis shall detail contaminant concentrations on both a statewide and generator level and shall indicate the statistical degree of certainty in the results of the analysis. The department shall attempt to present the report in terms that are understandable to the layperson including practical examples such as the probability that any given load of untested sludge exceeds a contaminant standard.

(b) The department shall establish a fee of $500, to be paid by sludge quality certificate holders by January 1 of each year. The fee shall be deposited in a special, nonlapsing sampling and analysis of sludge or biosolids samples fund, for exclusive use by the department to implement the program established in subparagraph (a).

2 New Paragraph; Duties of Department; On-Site Inspections. Amend RSA 485-A:4 by inserting after paragraph XVI-c the following new paragraph:

XVI-d. To conduct on-site inspections of sludge or biosolid application sites to monitor adherence to all state and federal requirements for such activity.

3 Testing Method Evaluation. In preparation for and as part of the annual report required by November 1, 2000 under RSA 485-A:4, XVI-c(a), the department, in consultation with university of New Hampshire statisticians and sludge and biosolid experts, sludge quality certificate holders, and

other interested parties, shall evaluate whether the overall financial resources dedicated to sludge testing in the state are being optimally allocated between regulatory testing and statistical testing. As part of the evaluation, the department shall consider what short and long-term financial, environmental, or assurance benefits there may be to the department, the public, and sludge or biosolid generators in having sampling conducted by a party other than the generator.

4 Transfer of Appropriation. The remainder of available funds, up to $85,000, that were appropriated for state aid grants by 1999, 159:1, PAU 03-04-02-01-02 shall be transferred at the end of fiscal year 2000 and at the end of fiscal year 2001 to the nonlapsing sampling and analysis of sludge or biosolids samples fund established by RSA 485-A:4, XVI-c, provided all approved state aid grant payments have been made to eligible municipalities in each fiscal year.

5 Effective Date. This act shall take effect July 1, 2000

1999-2178h

AMENDED ANALYSIS

This bill allows sampling and testing of sludge and biosolid materials to be conducted by independent third parties as well as the state. The sampling methodology designed by the department shall be with the consultation of university of New Hampshire statisticians and sludge and biosolids experts. The department shall make available to the public and general court a report by November 1 each year which analyzes the compiled test results.

This bill provides that as part of the annual report required by November 1, 2000, the department shall evaluate whether the overall financial resources dedicated to sludge testing in the state are being optimally allocated between regulatory and statistical testing.

This bill also appropriates certain funds to the sampling and analysis of sludge or biosolids samples fund.

Rep. B. Hall, Hills. 20
Rep. Phinizy, Sull. 7
October 25, 1999
1999-2178h
08/09

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(b) The department shall establish a fee of $500, to be paid by sludge quality certificate holders by January 1 of each year. The fee shall be deposited in a special, nonlapsing sampling and analysis of sludge or biosolids samples fund, for exclusive use by the department to implement the program established in subparagraph (a).

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other interested parties, shall evaluate whether the overall financial resources dedicated to sludge testing in the state are being optimally allocated between regulatory testing and statistical testing. As part of the evaluation, the department shall consider what short and long-term financial, environmental, or assurance benefits there may be to the department, the public, and sludge or biosolid generators in having sampling conducted by a party other than the generator.

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1999-2178h

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This bill also appropriates certain funds to the sampling and analysis of sludge or biosolids samples fund.

Committee Minutes

ENVIRONMENT AND AGRICULTURE COMMITTEE

1999 Re-Referred Bills and Subcommittee Assignments

REVISED 8/20/99

HB 0051	providing for registration of equipment used in the production of maple products and allowing the commissioner of the department of agriculture,	**Rep. David Babson, Jr., Chair** Rep. Derek Owen Rep. William R. Phinney
HB 0052	exempting certain currants and gooseberries resistant to the white pine blister rust organism from restrictions on planting in control areas.	**Rep. Kenneth Marshall, Chair** Rep. Karen McRae Rep. Leighton Pratt Rep. David Meader Rep. Derek Owen
HB 0239-FN-A	permitting the development of an industrial hemp industry in New Hampshire and continually appropriating a special fund.	**Rep. Donald Philbrick, Chair** Rep. Irene Messier Rep. Richard Shelton Rep. John Cobb Rep. John Tuthill
HB 0310	repealing the authority of the department of agriculture, markets, and food to conduct meat inspections and poultry products inspections.	**Rep. Kenneth Marshall, Chair** Rep. Karen McRae Rep. Leighton Pratt Rep. David Meader Rep. Derek Owen
HB 0335	prohibiting the land application of sludge in reclamation areas.	**Rep. Hobart Harmon, Chair** Rep. William Phinney Rep. David Meader Rep. Leighton Pratt Rep. Richard Shelton
HB 0648-FN	relative to a sludge testing program.	**Rep. John Cobb, Chair** Rep. Karen McRae Rep. James Phinizy Rep. Patricia Dunlap Rep. David M. Scanlan

Exec Session

HB648 10-26-99

Revenue from fees ($500) not sufficient to do testing

Fiscal analysis for amendment only

$85,000 comes from lapses

Speakers

SIGN UP SHEET

To Register Opinion If Not Speaking

Bill # 648 Date 3-17-99

Committee E+A

**** Please Print All Information ****

Name	Address	Phone	Representing	Pro	Con
RALPH KIRSHNER	HC 62 GTR. HARBOR	569-1517	SELF	✓	

Hearing Minutes

HOUSE COMMITTEE ON ENVIRONMENT AND AGRICULTURE

PUBLIC HEARING ON HB 648

BILL TITLE: relative to a sludge testing program.

DATE: March 17, 1999

LOB ROOM: 303 **Time Public Hearing Called to Order:** 10:00

Time Adjourned: 11:30

(please circle if present)

Committee Members: Reps. Musler Leishman, Messier, L. Pratt, McRae, Philbrick, Babson, Phinney, Marshall, Dunlap, Franks, Scanlan, Cobb, Harmon, B. Hall, Owen, Melcher, Meader, M. Ouellette, Phinizy, Shelton and Tuthill.

Bill Sponsors: Rep. B. Hall, Hills 20

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

The bill describes a new testing program. A program which will be statistically more sound. It will be developed at UNH.

Rep. Hall claims that the DES withheld information which caused the statistical professor at UNH to withdraw his offer to help draw up a bill. Joel Anderson and Rep. Hall drew up this bill. She also claims legislative services "screwed up the bill" and that rework is needed in subcommittee.

Rep. Franks: Is there currently a fee? Answer: Yes, $500. SQC is currently paying this. What spike level will you accept? Rep. Hall answered none, not enough information. "Spikes are disturbing."

Rep. Philbrick questioned the increased in cost to towns. Rep. Hall: Cost will definitely be a factor.

Rep. Melcher: Are you prepared to accept UNH statistical answer? Rep. Hall: Results are an individual matter.

Rep. Leishman: Do you not accept our current radon testing? Rep. Hall: No.
Rep. Leishman: What abut cost concerns? Rep. Hall: Yes, I am concerned.

Rep. Pratt: Was it money that held up UNH? Rep. Hall: Didn't know answer but money was not the problem.

Rep. Philbrick: Has radon testing showed results that warrant 3rd party testing? Rep. Hall: Yes. We need to know more.

Rep. Philbrick: Fiscal impact is a problem.
Rep. Melcher: Public should penny up over $500.00.

Dick Flanders, DES, supports concept, but financing is a problem. Too great a burden.

Rep. Scanlan: How often? Flanders: Now SQR requirements testing will be done 4 times/year. How does 4 times/year relate to amount produced?

Rep. Tuthill: Who does the testing? Flanders/Rainey: Done by the Dept.

Rep. Philbrick: Is testing costing $2500.00 now? Rainey: $500 randon was left to the Dept.

Rep. Philbrick: Increased cost is a problem!

Rep. Phinizy: What do you get for $500? Rainey: Random showed good results. Money being spent on problem areas.

Rep. Phinizy: Why do year averages. Rainey: When spike detected WWTF goes into new, stricter rules.

Rainey: Defines his idea of a spike.

Rep. Babson: Do you have a rating system?
Rep. Owen: Is 4 times/year testing enough? Are pre-treatment failures the reason for spikes?

Rep. Franks: risk discussion.

Rep Melcher: Testing methods. How do you collect samples?

Rep. Philbrick: After Friday (new rules) how will NH stand on random testing? Rainey: No other state has random testing.

Helena Shields –supports

Shelagh Connelly does not support because Senate bill is better (has public funding). Costs of new limits are too great for the users. Testing in certified labs. Randon testing is an important weapon. WWTF objected to increase randon testing costs.

Rep. Owen: How come Mass. doesn't use its own sludge? Connelly: They do.

Rep. Babson: How do you determine that "NH has the most strict rules in the country?" Connelly: Over all evaluation of rules.

Rep. Phinizy: Will this be enough testing? Connelly: No, we need to spend more on education of people.

Rep. Melcher: How much out of state is being land applied? Connelly: Lots is being landfilled.

Rep. Messier: What would we do if Lowell shuts us out. Conelly: All hell would break loose.

Rep. Philbrick: Increased dumping fees will cause more illegal activities.

Judy Silva: Not opposed to testing, but is opposed to increased cost of testing.

Henry Villieux: Waste Management lobbyist

Jason Stuck: BFI Organics: "What is 3rd party" who will do testing? Jason does mostly paper millwork.

Rep. Babson: Why delay from DES? Referred to Mike Rainey.

HOUSE COMMITTEE ON ENVIRONMENT AND AGRICULTURE

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DATE: March 17, 1999

LOB ROOM: 303 **Time Public Hearing Called to Order:** 10:00

Time Adjourned: {Time} Noon

(please circle if present)

Committee Members: ~~Reps. Mueler~~ Leishman, Messier, L. Pratt, ~~McRae~~, Philbrick, Babson, ~~Phinney~~, Marshall, Dunlap, Franks, Scanlan, ~~Cobb~~, ~~Herman~~, B. Hall, Owen, Melcher, Meader, M. ~~Ouellette~~, Phinizy, ~~Shelton~~ and Tuthill.

Late

Late

Bill Sponsors: Rep. B. Hall, Hills 20

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Rep Hall -

* DES Dick Flanders * } Supports concept but not finances.
  Mike Rainey }
  Helena Shields. Supports
  Shelagh Connelly: Does not support - See supports Senate bill
  Judy Silva M+C A: Supports testing but not cost.
* Henry Villieux: opposed.
  Jason Stock - BFI Organics
* Ann A. Bosiak - written testimony

HB648 Rep Hall

Bill describes new testing program. A program which will be statistically more sound. It will be developed @ UNH.

Rep Hall claims DES withheld information which caused the statistical professor @ UNH to withdraw his offer to help draw up ~~hee~~ a bill. Joel Anderson & Rep Hall drew up this bill. She also claims Leg Services "screwed up bill" and that rework need in sub committee.

Rep Franks: Is there currently a fee?? Answer is yes - $500. SAU is cutently paying this.

What spike level will you accept? Rep Hall. None - not enough info. "Spikes are disturbing"

Rep Philbrick: Questioned increase cost to towns.
Rep Hall: Cost will definitely be a factor.

Rep Melcher: Are you prepared to accept UNH statistical answer??
Rep Hall: Results are an individual matter.

Rep Leishman: Do you not accept our current random testing??
Rep Hall: No.

Rep L.: What about cost concerns?
Rep H.: Yes. I am concerned.

Rep Platt: Was it money that held up UNH?
Rep Hall: Didn't know answer but money was not the problem.

Rep Phil - Has radon testing showed results that warrant 3rd party testing.
Hall - Yes. We need to know more.

Rep Phil - Fiscal impact is a problem.

Rep Melcher: Public should perq up over 500 cs

DES: Mike Rainey

DES: Dick Flanders - Supports concept, but financing is a problem - Too great a burden.

Rep Scanlon: How often?? Flanders: New SOR requirements ~~and~~ testing will be done 4 X/year. How does Does 4X/year relate to amount produced.

Rep Tuthill: Who does the testing.
Flanders/Rainey - Don't by the Dept.

Rep Phibbick: Is testing costing $2500. now??
Rainey. $500 random was left to Dept.
Rep Phibbick. Increased cost is a problem?

Rep Phinney: What to do you get for $500.
Rainey: Random should give results. Money being spent on problem areas.

Rep Phinney: ~~Do you~~ Why ~~are you~~ do your averages.
Rainey: When spike detected WWTF goes into new, more strict rules.

M. Rainey: Defines his idea of a spike.

Rep Babson: Do you have a rating system.

Rep Owen: Is 4x a year testing enough?
Is pre-treatment failures the reason for spikes?

Rep Franks: Risk discussion.

Rep Melcher. Testing methods. How do you collect samples??

Rep Philbrick: After Friday (new rules) how will N.H. stand on random testing.
Rainey: No other state has random testing.

Helena Shields - Supports.

Shelagh Connelly: Does not support because Senate bill is better (has public funding)
Costs of new limits are too great for the users
Testing in labs as certified.
Random testing is an important weapon.
WWTF objected to increase random testing costs.

Rep Owen: How comes Mass doesn't use its own sludge?
Connelly: They do.

Rep Babson: How do you determine that "NH has the most stringent rules in the country?"
Connelly: Over all evaluation of rules.

Rep. Phinzy: Will this be enough testing?
Connelly: No. - We need to spend more on education of people.

Rep Melcher: How much out of state is being land applied?
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Connelly: All hell would break loose.

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Judy Silva: Not opposed to testing, but is opposed to increased cost of testing.

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Jason Stock: BFI Organics "What is 3rd party" who will do testing. Jason does mostly paper mill work.

Rep. Babson: Why delay from DES? Referred to Rute Ravery

Sub-Committee Actions

SUBCOMMITTEE WORK SESSION

COMMITTEE: Environment & Agriculture

BILL NUMBER: HB 648 (re-ferred)

TITLE: Sludge Testing (Sponser - Rep Betty Hall)

DATE: October 26, 1999 LOB ROOM: 301

TIME CALLED TO ORDER: 9:30AM TIME ADJOURNED: 10:00AM

SUBCOMMITTEE MEMBERS: Chair - Rep Cobb; Rep Pat Dunlap; James Phinizy and David Scanlon. Others attending: Rep Hall; DES: Mr Dick Flanders

NOTES: (Attach additional sheets if necessary)

The committee heard explanation collaberation between DES, Rep Hall and the Municipal Assoc, and it was agreed that the first amendment to Rep Hall's HB 648 would be used.

The required write up of the passed bill by the full committee is as follows: This bill was re-referred to the E&A Committee after much consideration, it was decided to amend the bill emphasizing the reporting procedures. We put a cap on the sludge testing fee of generators satisfying a concern of municipalities. Coordination was established between the Sponser; DES and authorities at UNH. Funding comes from State Aid Grant Program which will not have an in adverse impact for present budget.
The full committee voted 18-0, "Ought to Pass".

RECOMMENDATION TO THE FULL COMMITTEE:

☒ See Below
☐ No Recommendation Yet

The sub-committee voted 4 to 0, for a recommended "Ought to Pass, to the full committee.

RESPECTFULLY SUBMITTED,

Rep. JOHN S. COBB, Chairman
For the Subcommittee

Rev. 08/24/98

Sub-Committee Minutes

State of New Hampshire

HOUSE OF REPRESENTATIVES

CONCORD

TDD Access: Relay NH 1-800-735-2964

COMMITTEE ON ENVIRONMENT AND AGRICULTURE

MEMORANDUM

TO: Subcommittee on Re-referred HB 648
Rep. Karen K. McRae
Rep. James Phinizy
Rep. Patricia C. Dunlap
Rep. Suzan L. R. Franks

FROM: Rep. John S. Cobb, Subcommittee Chair

DATE: August 5, 1999

RE: Reminder of Subcommittee Work Session

This memo is to remind the subcommittee members that there will be a work session on HB 648 (relative to a sludge testing program) on ***Wednesday, August 11, 1999, at 9:00 a.m. in Room 303 (LOB)***. I hope you will be able to attend.

JSC/sg

SUBCOMMITTEE WORK SESSION

COMMITTEE: Environment and Agriculture

BILL NUMBER: HB - 648 (Re-referred)

TITLE: Sludge Testing Program and Funding

DATE: 8-11-99 LOB ROOM: 303

TIME CALLED TO ORDER: 09:15 AM TIME ADJOURNED: 10:35 AM

SUBCOMMITTEE MEMBERS: Present: John S. Cobb, Patricia C. Dunlap and James Phinizy. Other members - Suzan L. R. Franks and Karen K. McRae

NOTES: (Attach additional sheets if necessary)

After a hour and half meeting the sub-committee resolved that we needed to learn from Rep Hall (the Bill Sponser) for her to define para B of the bill, and explain the logic behind it. Chairman Cobb indicated he would contact both DES and REp Hall for their presence at our next scheduled hearing. It was concluded that the next scheduled meeting would be at 9AM on any given Wed. It was noted also, that SB 195, which deals with related subjects, was passed and signed into law on July 12, 1999, effective the same date.

RECOMMENDATION TO THE FULL COMMITTEE:

- ☐ See Below
- ☐ No Recommendation Yet

RESPECTFULLY SUBMITTED,

Rep. John S. Cobb
For the Subcommittee

Rev. 08/24/98

SUBCOMMITTEE WORK SESSION

COMMITTEE: Environment & Agriculture

BILL NUMBER: HB 648 (re-referred)

TITLE: ~~Sludge Testing~~

DATE: Sep 15, 99 LOB ROOM: 303

TIME CALLED TO ORDER: 9:00 AM TIME ADJOURNED: 10:15 AM

SUBCOMMITTEE MEMBERS: (Present) John S. Cobb, Chair; David M. Scanlon; James Phinizy; and Karen K. McRae. Other: Pat C. Dunlap. Researcher: Joel Anderson

Presenting testimony: Rep Betty Hall and DES Rep's Dick Flanders and Mike Rainey

NOTES: (Attach additional sheets if necessary)

RepCobb opened the work session on HB 648, and requested that Rep. Betty Hall give an overview of the bill. Rep. Hall said the reason for HB 648 was to address two items from the original legislation dealing with sludge testing. These included the reporting of sludge testing by DES and the development of methodology for the actual testing procedures. Rep. Hall felt that an independent testing program would address the two concerns. Although new rules for sludge testing have recently gone into effec Rep. Hall said we don't know if they will be adequate or how much they will cost. Rep Cobb requested comments from Dick Flanders and Mike Rainey, both representing DES. Mr Flanders and Mr Rainey felt sludge testing was moving forward in an appropriate manner A recent Senate Bill (SB 195) that became law appropriated $178,000 to be utilized by 28 towns for testing. Four samples will be taken per facility, data will be compiled and variability can be determined. It was pointed out that treatment plant type is a major factor in how testing is done. They claimed excellent data would be coming in within 6 months. They also acknowledged that funding is an issue and greatly affects testing. More testing is better, but cost becomes an issue, and cost / benefit needs to be considered. Statistically appropriate testing required in HB 648 would require

(OVER)

RECOMMENDATION TO THE FULL COMMITTEE:

☐ See Below

☒ No Recommendation Yet

RESPECTFULLY SUBMITTED,

Rep, David M. Scanlon

For the Subcommittee

Rev. 08/24/98

8 to 12 tests per year, and that would double or triple costs. DES will provide the subcommittee with statistical information from Dr. Balesteros of UNH with whom DES has been working. The Subcommittee requested that Dr. Baleseros be invited to attend a futurework session. Rep. Cobb closed the meeting.

FOOTNOTE: At the previous meeting held on Aug 11, Rep. Phinizy had quested that the bills sponser, Rep. Hall, define para B of the bill and explain the logic behind it. At Rep. Hall's request, Joel Anderson, Committee Researcher, provided that information in written format.

State of New Hampshire

HOUSE OF REPRESENTATIVES

CONCORD

TDD Access: Relay NH 1-800-735-2964

COMMITTEE ON ENVIRONMENT AND AGRICULTURE

MEMORANDUM

TO: **Subcommittee on Re-referred HB 648**
Rep. Karen K. McRae
Rep. James Phinizy
Rep. Patricia C. Dunlap
Rep. David M. Scanlan

FROM: **Rep. John S. Cobb, Subcommittee Chair**

DATE: **September 23, 1999**

RE: **Subcommittee Work Session on HB 648**
(relative to a sludge testing program)

The next scheduled subcommittee work session on HB 648 will be ***on Wednesday, October 13, 1999, at 10:00 a.m. in Room 303 of the Legislative Office Building***. I am also informing the other members of the Environment and Agriculture Committee, as they may be interested in attending this meeting.

JSC/sg

SUBCOMMITTEE WORK SESSION

COMMITTEE: Environment & Agriculture

BILL NUMBER: HB 648 (re-referred)

TITLE: Sludge Testing (Sponser - Rep Betty Hall)

DATE: October 13, 1999 LOB ROOM: 303

TIME CALLED TO ORDER: 10:00 AM TIME ADJOURNED: 11:15AM

SUBCOMMITTEE MEMBERS: Present: Rep Cobb (Chair); Pat Dunlap; James Phinizy and David Scanlon. Excused: Karen McRae Others attending: Rep Hall; Dr Chris Neefus, Prof. UNH; DES: Mick Rainey & Dick Flanders; and Judy Silva, NH Muni Assoc.

E&A Comm Members: Rep Hall, Pratt, Shelton and Mussier

NOTES: (Attach additional sheets if necessary)

E&A Subcommittee work session on HB 648 was lead by Chairman Cobb. Cobb opened the work session on HB 648, and requested that REp Betty Hall introduce Dr Neefus from the Department of Plant Biology at the University of NH. Dr Neefus gave a presentation on the benefits of random sampling and stressed the importance of developing strategies that would yield an acceptable level of detecting problems. Given cost constraints, sampling strategies could be focused on issues of priority with good results and confidence in public safety. His department would welcome a partnership with the state (DES) in helping to develop sampling strategies and testing methodology. In light of the fact that the Department of Environmental Services was receiving samples from treatment facilities and then sending them out to a contract lab for analysis, Dr Neefus did not see the need for a third party independent testing. Judy Silva of the NH Municipal Association mentioned that their organization feels that there are 28A issues that need to be addressed in the legislation. There was a general discussion by subcommittee members about 28A issues, rules that are currently in effect, and cost/benefit concerns associated with this legislation. Dr Neefus and DES were requested to work together to come up with amendments to the bill that would address the subcommittees concerns. Rep Cobb scheduled the next meeting for Tuesday, October 26th at 9:30AM and closed the meeting.

RECOMMENDATION TO THE FULL COMMITTEE:

☐ See Below

☒ No Recommendation Yet

RESPECTFULLY SUBMITTED,

Rep. David M. Scanlon

For the Subcommittee

State of New Hampshire

HOUSE OF REPRESENTATIVES

CONCORD

TDD Access: Relay NH 1-800-735-2964

COMMITTEE ON ENVIRONMENT AND AGRICULTURE

MEMORANDUM

TO: **Subcommittee on Re-referred HB 648**
Rep. Karen K. McRae
Rep. James Phinizy
Rep. Patricia C. Dunlap
Rep. David M. Scanlan

FROM: **Rep. John S. Cobb, Subcommittee Chair**

DATE: **October 22, 1999**

RE: **Brief Subcommittee Meeting**

This is to inform you that our subcommittee will have a **brief meeting** in the Environment and Agriculture Committee office ***at 9:30 a.m. on Tuesday, October 26th***, prior to the executive session of the full committee scheduled for 10:00. The purpose of our meeting will be to make our final decision on HB 648 as "inexpedient to legislate" or "refer for interim study."

I hope you will be able to make it. Enclosed are the minutes from our subcommittee work session of October 13th.

JSC/sg
Enclosure

Testimony

State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES
6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-2900 FAX (603) 271-2456

The Honorable Frank Callaghan
Environment & Agriculture Committee
Room 303 - Legislative Office Building

November 4, 1997

Subject: Solid Waste Rules, as amended and readopted October 29, 1997

Dear Environment and Agriculture Committee Member:

Representative George T. Musler has requested that you receive a copy of the newly amended and readopted *New Hampshire Solid Waste Rules (Rules).* Enclosed are both a hard copy and a disk version of the *Rules*, as amended and readopted on October 29, 1997. Also enclosed is a review guidance document, which explains the content of the *Rules* and provides a general "road map" for finding your way around these regulations.

The enclosed *Rules* are the culmination of a two year work effort by the Department of Environmental Services (DES). This rulemaking effort has resulted in many significant changes in the way solid waste will now be regulated in New Hampshire, in particular in the area of permitting and management of recyclable materials. DES is encouraged by the positive response these rules have received to date, including the fact that JLCAR did not raise a final objection to any element of the *Rules.*

Please contact me if there questions.

Sincerely,

Philip J. O'Brien, Ph.D., Director
Waste Management Division

encl: SW Rules, hard copy & disk
SW Rule Guidance Document

State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES
6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-3503 FAX (603) 271-2982

October 26, 1999

The Honorable Betty B. Hall
Environment and Agriculture Committee
PO Box 309
Brookline, NH 03033-0309

Re: HB 648-FN Relative to a Sludge Testing Program

Dear Representative Hall:

As you are aware, the House Environment and Agriculture Subcommittee on the re-referred HB 648-FN requested assistance from the Department of Environmental Services (DES) to modify bill language to address several issues raised during the last work session on October 13. At the request of the Subcommittee, DES staff member Dick Flanders provided proposed text changes to Joel Anderson, Legislative Research; Judy Silva of the NH Municipal Association; and Dr. Chris Neefus of UNH as requested by October 19. We trust these suggestions are helpful to the subcommittee.

As Dick noted in his transmission of the draft text to those referenced above, DES is concerned with the reliability of the proposed funding mechanism for additional random sludge testing. As outlined in the revised bill (Transfer of Appropriation), up to $85,000 would be transferred from the state aid grant program to support random sludge testing with the provision that "all eligible municipalities have received such state aid grants." The intent is that **if** there are funds that would otherwise lapse in the state aid grant program, these could be transferred to meet the random testing needs. This concept was used successfully last year to fund the sludge quality certification testing for this year. However, due to a reduction of $2.5 million in the wastewater state aid grant program for the next biennium and considerable expected demand for the funds, there is more likely to be a slight shortfall than a surplus in this program. While a shortfall most likely only delays funding of specific wastewater infrastructure projects which come in late in a fiscal year to the next year, it will cause the sludge testing program to be unfunded. Consequently, there is significant risk that the sludge testing program will remain unfunded during this period if dependent upon lapsed state aid grant monies.

Thank you for your consideration. We look forward to continuing to work with the Environment and Agriculture Committee in its deliberations on this bill. If you have any questions, please feel free to contact me at 271-3308 or Dick Flanders at 271-3571.

Sincerely,

for John R Bush

Harry S. Stewart, P.E.
Director, Water Division

cc: Honorable George T. Musler, Chairman E&A
Honorable John S. Cobb, Subcommittee Chair
Robert W. Varney, Commissioner
Dana Bisbee, Assist. Commissioner, DES
John R. Bush, Administrator, WEB

H:\SLUDGE\DOCS\LEGISLAT\LETTERS\1999\HALL.LTR

State of New Hampshire

HOUSE OF REPRESENTATIVES

CONCORD

RR 2 Box 28-1
Woodsville, New Hampshire 03785-9503
(603) 747-3730
September 24, 1999

Professor Christopher D. Neefus
G32 Spaulding Life Science
University of New Hampshire
Durham, New Hampshire 03824

Professor Thomas P. Ballestero
236 Kingsbury Hall
Univeristy of New Hampshire
Durham, New Hampshire 03824

Dear Dr. Neefus and Dr. Ballestero:

The House Environment and Agriculture Committee is currently studying HB 648-FN, relative to a sludge testing program, which was sponsored by Representative Betty Hall. The bill modifies the current random testing program for sludge that is administered by the Department of Environmental Services (DES). The bill requires DES to develop more stringent statistical methodologies in consultation with University of New Hampshire statisticians and sludge experts, as well as a likely increase in the number of random tests conducted.

Representative George Musler has appointed me as chairman of a subcommittee that is charged with making a recommendation to the full committee on the merits of HB 648. At the first meeting of the subcommittee on September 15, your names were mentioned as UNH faculty that have provided expert assistance to the state on sludge testing. As reported to the subcommittee, Dr. Neefus, you had discussions with Representative Hall concerning the development of HB 648; and Dr. Ballestero, you worked with DES on analyzing sludge testing data that helped the department develop its regulatory testing requirements under the new sludge rules.

The content of HB 648 affects both the state's random testing and regulatory testing programs. Given that the two of you have provided input in these areas and the fact that the bill calls for continued assistance from the university, the subcommittee felt that it would be helpful to have the benefit of your combined expertise and insight as it considers HB 648.

The subcommittee's next meeting is on Wednesday, October 13 at 10:00 a.m. I would like to invite both of you to that meeting and would greatly appreciate it if you were able to attend. Having an effective sludge testing program is important to ensuring that only qualified sludge is applied on New Hampshire soils. We feel that you can help us understand how this can best be done.

I have enclosed a copy of HB 648 for your reference. Please let me know within a week's time if you will be able to attend the meeting and feel free to contact me at (603) 747-3730 with any questions that you may have.

Sincerely,

John S. Cobb /sg

Representative John S. Cobb
Subcommittee Chairman

JSC/sg
Enclosure
cc: Rep. George T. Musler, Chairman, Environment and Agriculture Committee
Rep. Betty B. Hall
Subcommittee on HB 648

Statute Relative to HB 648-FN

§ 485-A:4. Duties of Department.

It shall be the duty of the department and the department is authorized:

XVI-c. To implement a program of random on-site testing and inspection of sludge or biosolids samples to be used for any land application by any person obtaining a permit under RSA 485-A:4, XVI-b, provided that inspection shall not be required before the issuance of a permit. The procedures for random inspection and testing of sludge or biosolids samples on a site shall include an inspection for any setback or area requirements of a site for land application and may include testing for such pollutants as heavy metals, toxins, dioxins, and polychlorinated biphenyl, as determined in rules adopted by the commissioner pursuant to RSA 541-A. The department shall develop a database of inspection results and shall monitor adherence to state and federal requirements for the spreading of sludge or biosolids. The program of random inspection and testing of sludge or biosolids shall be funded by a fee of $500 assessed annually to all sludge quality certification holders as defined in rules adopted by the commissioner. Such fee shall be payable to the department no later than January 1 of each year by all certification holders. All fees shall be deposited in a special nonlapsing account to be used by the department for the sampling and analysis of randomly collected sludge or biosolids samples.

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AUDUBON SOCIETY
OF NEW HAMPSHIRE

STATEWIDE OFFICES
3 Silk Farm Road
Concord, NH 03301-8200
(603) 224-9909
Fax (603) 226-0902
www.nhaudubon.org

REGIONAL CENTERS

Amoskeag Fishways
Learning Center
Fletcher Street
Manchester, NH 03105
(603) 626-3474
Managed by ASNH in partnership with PSNH, the NH Fish & Game Department and the U.S. Fish & Wildlife Service

Loon Preservation Committee
P.O. Box 604, Lees Mills Road
Moultonborough, NH 03254
(603) 476-5666
A self-funded project of ASNH

Massabesic Audubon Center
26 Audubon Way
Auburn, NH 03032
(603) 668-2045
Fax (603) 668-3796

Newfound Audubon Center
North Shore Road
East Hebron, NH 03222
(603) 744-3516

Prescott Farm
Audubon Center
1888 White Oaks Road
Laconia, NH 03246
(603) 366-5695
Fax (603) 366-5720

Seacoast Science Center
Odiorne Point State Park
570 Ocean Boulevard
Rye, NH 03870
(603) 436-8043
Fax (603) 433-2235
Managed by ASNH under contract with the State of New Hampshire in affiliation with the Friends of Odiorne Point & the SSC, Inc. and the UNH Cooperative Ext./Sea Grant Program

Silk Farm Audubon Center
3 Silk Farm Road
Concord, NH 03301-8200
(603) 224-9909
Fax (603) 226-0902

March 18, 1999

Representative George T. Musler
Chairman
Environment and Agriculture Committee
New Hampshire General Court

RE: HB 648 - An Act Relative to a Sludge Testing Program

Dear ~~Chairman~~ Musler:

On behalf of Audubon Society of New Hampshire (ASNH) and our 10,000 members I thank you for this opportunity to present written testimony in favor of HB 648.

An area of the sludge debate that receives constant scrutiny is the issue of the level of contamination of the material. While industry representatives give assurances that the material is more than clean enough to meet state specifications, sludge opponents say there are contaminants in the sludge that make it dangerous to use. The only real way of knowing what is in the sludge is through more testing. The use of independent testing laboratories eliminates any concern either side in the debate might have regarding the reliability of the data. In the face of reliable hard numbers the argument fades away.

ASNH is concerned about the quality of sludge used as soil amendment. While we support the concept of recycling of clean organic wastes, sludge that has high levels of heavy metals or other contaminants can have an adverse impact on New Hampshire's wildlife and wildlife habitat. More reliable testing of sludge is one way to help ensure that the material used does not contaminate our soils, invertebrates, birds and other species up through the food web.

Responsible decisions can only be made in the presence of accurate, reliable information. As with any debate revolving around scientific issues, a greater database of information can only assist in our decision-making process. It is for this reason that ASNH supports HB 648 and respectfully urges you and your distinguished committee to vote OUGHT TO PASS.

Sincerely,

Julian Zelazny

Julian Zelazny
Environmental Policy Director

BIO GRO
A WASTE MANAGEMENT COMPANY

2000 Forest Avenue
Portland, ME 04103
(207) 878-8177
(800) 838-8177
(207) 878-8179 Fax

March 16, 1999

The Honorable George T. Musler
Chair
Environment & Agriculture Committee
Legislative Office Building, Room 303
Concord, NH 03301

Re: HB648 Relative to a sludge testing program.

Dear Chairman Musler:

This letter is in opposition to HB 648, "Relative to a sludge testing program".

The Department of Environmental Services currently manages a random sampling testing program of biosolids and other wastewater treatment plant residuals including short paper fiber. The frequency of testing and scope of constituents tested for have all been determined by the Department based upon their regulatory needs. This program has been effeciently administered by the Department and reports provided to the legislature on a routine basis.

This legislation is duplicative and raises serious implementation and fiscal impacts to municipalities and to landowners involved in biosolids recycling programs. First, there will be a significant cost increase to municipalities and generators under the new sludge testing program proposal. Currently, costs are limited to $500 for each Sludge Quality Certification holder. The proposed revisions to the Env-Ws 800 regulations already requires a significant increase in the scope and frequency of testing to generators and municipalities in order to obtain an SQC. Further increases beyond the current $500 per generator, without a cap, will provide further economic incentives to landfilling or other non-recycling options.

Furthermore, the proposed legislation would allow for an independent third party testing program. Would this be in addition to the state random sampling? How will the third party be selected? How will landowners be notified of these individuals coming onto their land for testing? What will the landowner's liability be to these individuals? How will timing of the testing be coordinated? Why are just UNH statisticians to be utilized? Who will pay these costs? What if the Department or state already has this expertise and staff? Why pay twice?

There is no evidence that the Department's current testing program is not being administered properly or adequately to justify such a radical change in the existing program. If you have any questions about my testimony, please do not hesitate to call me.

Thanking you for your time and consideration, I am,

Sincerely yours,

Ann A. Bosiak

Ann A. Bosiak
Technical Services Coordinator

cc: H. Veilleux, S&H Murphy
P. Gratton, S. Toft, G. Lynch, D. Hufman, B. Angelotti, Bio Gro

a:\work16\hb648.ltr

State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES
6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-3503 FAX (603) 271-2867

March 3, 1999

The Honorable George T. Musler, Chairman
House Environment and Agriculture Committee
Room 303, LOB
Concord, N.H.

Re. HB 648, relative to a sludge testing program

Dear Chairman Musler:

The Department of Environmental Services (DES) wishes to thank the Committee for the opportunity to comment on HB 648. The bill is intended to replace the present random sludge testing program, instituted by the Legislature in 1998 (HB 1224), with a testing program that produces a statistically-based description of sludge contaminant levels in sludge from each generator. The department supports the intent of this legislation, but we do not support the bill as proposed. Our concern is that municipal sludge testing costs would increase significantly without a corresponding benefit in the quality of the data relied on in the sludge management program.

A statistically based method for evaluating sludge quality and variability relative to potentially toxic trace constituents is a goal which DES supports. To that end we will be analyzing the data gathered as a result of the testing for sludge quality certification recently established in the new Sludge Management Rules. Further, we now consult with the University of New Hampshire on technical sludge issues, and will continue to consult with the University in applying statistical methods to evaluation of sludge quality, as proposed in the bill.

Senate Bill 195, which we support, proposes to allocate $500,000 in unexpended wastewater construction grant funds (if available) for sludge testing. If enacted, SB 195 would provide substantial progress toward the goal of a statistically-based description of sludge contaminant levels in sludge from each generator. However, the cost of the testing estimated to be required by HB 648 is prohibitive, especially when the cost burden is placed entirely upon sludge generators, most of whom are municipalities.

Thank you for your consideration. If you have any questions, please contact me at 271-3503 or Paul Currier at 271-3289.

Very truly yours,

Robert W. Varney
Commissioner

cc. Representative Betty Hall
H:\LEGIS\HB648.LTR

TESTIMONY IN SUPPORT OF HB 648-FN TO EXPAND RANDOM SLUDGE TESTING PROGRAM

Sludge testing is a critically important issue. Enforcement of pretreatment programs in New Hampshire and other states is often weighed against what it will cost the industry to clean up its act and whether jobs could be lost. This would be all right if the sludge was going to a landfill. But it is definitely not okay with the sludge being spread on prime agricultural land and in gravel pits over aquifers.

A 1992 EPA reports says 54% of industries don't comply with pretreatment requirements. And allowing the waste industry to handle their own testing is definitely a case of the fox guarding the chickens. Pollutant levels can rise and fall dramatically, depending on who is handling the testing.

Here is an example: In October 1997 Wheelabrator submitted test results for Lowell sludge showing the toxic organics were only 29.5 parts per million. A few weeks later two employees from the DES sludge office went down to Lowell and took some grab samples of the sludge ...and low and behold the NH lab said that Lowell sludge contained over 370 parts per million of toxic organics.....almost 13 times more pollutants than what Wheelabrator's lab reported.

Furthermore, the lab in Massachusetts doing the October sludge test for Lowell shortened the VOC list from 72 substances down to only 29 substances ..... and missing from the new short list were 5 chemicals Lowell had consistently had hits on in the past.

The issue of waste industry sludge tests being less than honest has also surfaced in Canada: In January 1999 the Ontario Ministry of the Environment issued the following report: The Ministry audited the contaminant levels in the paper mill sludge by requesting a sample which it then split with the company. The Ministry and the sludge proponent each tested the same sample. Oddly enough, the Ministry laboratory reported much higher levels of contaminants than the company. Some contaminants, like dioxins, measured more than 10 times the levels reported by the company.

The existing random testing program has shown some sewage sludge and industrial paper mill sludge, particularly from out-of-state -- to be highly contaminated and very unstable This is a worthwhile program which should be expanded and fully funded. It's cheaper in the long run to test the sludge than try to clean up a contaminated water supply.

Helane Shields, Alton, NH

TESTIMONY IN SUPPORT OF HB 335 - PROHIBITING SLUDGE IN GRAVEL PITS OVER AQUIFERS AND SAND AND GRAVEL RECHARGE AREAS.

New Hampshire is the only state in New England (indeed in the whole country) allowing the waste industry to dump chemically contaminated sewage sludge and industrial paper mill sludge in gravel pits at rates exceeding 500 tons per acre over aquifers and sand and gravel recharge areas. Other states, including Maine and Vermont, consider these application rates unthinkable.

UNH Professor Tom Ballestero said last summer some gravel pits are like "OPEN WOUNDS'" He said many pits have been dug down to groundwater, and there is no vegetation to take up the nitrogen in the sludge. Professor Ballestero said "WASTE DISPOSAL IN GRAVEL PITS IS MOST LIKELY A BAD IDEA."

UNH Professor Robert Harter said sludge application of 500 to 1000 tons per acre is NOT RECLAMATION -- IT IS DISPOSAL -- AND AN OLD GRAVEL PIT IS NOT AN APPROPRIATE PLACE FOR SUCH DISPOSAL. Professor Harter said papermill wastes are a poor choice for reclamation of gravel pits because they are not stabilized and they contain a variety of inorganic and soluble organic chemicals, including dioxins which is of greatest concern.

A recent NH Forest Society study found nearly 1000 known contamination sources in watersheds that feed public water supplies. Nearly 100 public wells have already been contaminated. Existing water supplies are being harmed by rapid growth, development, bacterial and chemical contamination, including the escalating pollution of surface and ground water by the gas additive MtBE. Deforestation and paving eliminate former woodlands which served as the earth's natural filtering systems. Water shortages are now being created which most people thought could never happen in New Hampshire. Well is it happening right here and now.

GRAVEL PITS ARE OPEN WOUNDS IN THE EARTH. Common sense dictates that you don't dump pathogenic wastes contaminated with toxic chemicals in open wounds, on coarse highly permeable soil --within inches of aquifers and groundwater -- tomorrow's drinking water supplies in a time of shrinking resources.

Helane and Charles Shields, Alton, NH

TESTIMONY IN OPPOSITION TO HB 222 - TO PREEMPT TOWNS FROM ENACTING SLUDGE CONTROL ORDINANCES AND TO WIPE OUT ALL EXISTING ORDINANCES IN 42+ NH COMMUNITIES.

New Hampshire is the only state in New England importing Class B sewage sludge and industrial paper mill sludge. No Class B sewage sludge whatsoever is being landspread in the States of Rhode Island, Connecticut and Massachusetts. New Hampshire is the only state in New England encouraging the dumping of a combination of sewage sludge and industrial paper mill sludge at the rates of 500 to 1000 tons per acre in gravel pits over aquifers and sand and gravel recharge areas. All other states, including Vermont and Maine, consider these application rates unthinkable.

The NH DES says "only 40%" of the sludge being spread in New Hampshire comes from out-of-state. That is because in the past couple of years the Towns of Ossipee, Madison, Tamworth, Tilton and Milford reacted to huge sludge projects involving mostly out-of-state sludge by protecting themselves with local ordinances. If those projects had gone forward, the vast majority of sludge being spread in New Hampshire would be from out-of-state.

I have been challenged many times as to what to do about sludge. The first thing we must do is get rid of the out-of-state sludge. Vermont and Maine keep out-of-state sludge out of their states by requiring extensive extra testing. Unstable, chemically contaminated industrial sludges don't make it across their borders. Only New Hampshire, where the waste industry calls the shots --imports this toxic waste.

Most New Hampshire communities, even small ones, are processing their sludge to Class A standards -- with pathogens below detectable levels. Technology is available right now to produce stable Class A sludge which would have minimal impact on our land and water. Hanover is in the process right now of upgrading their sewage treatment plant to producing Class A sludge. The few remaining plants such as Concord, Franklin, and Hooksett should be upgraded to Class A facilities.

Class B sewage sludge is a vile, reeking abomination. The stench destroys the quality of life for neighbors. It puts their wells at risk for bacteria and viruses, and exposes them to airborne pathogens, metals, chemicals, molds and fungi which can and do cause illness.

I have no problem with the landspreading of Class A sludge from in-state sources with minimal industrial input in accordance with agronomic rates established by UNH Cooperative Extension Service, and following ALL of UNH's Best Management Practices.

If this bill passes, NH towns will be defenseless against an avalanche of out-of-state sludge. Last spring all the Town Officials in Milford were joined with residents in opposition to the BFI plan to spread mostly out- of- state paper mill sludge and sewage sludge from the heavily industrialized City of Springfield, Massachusetts at rates exceeding 500 tons per acre, on land clear-cut by former State Senator David Wheeler. An engineering firm hired by the Milford

Selectmen said there were not sufficient safeguards to protect nearby residential drinking water supplies.

UNH told me BFI lied in their statement to the DES that UNH had recommended putting this mixture of sewage and paper mill sludge on top of existing soil. The NH DES approved this sludge dumping plan in Milford anyway. What stopped the project was enactment of a local ordinance.

If HB 222 passes -- the waste industry will have free rein to force towns around the state to be dumping grounds for out-of-state sludge. The DES has NEVER said "NO" to a sludge disposal site and they have NEVER said "NO" to out-of-state sludge. Towns will be completely defenseless.

Helane and Charles Shields, Alton, NH

Experts prepared to testify against city

Web posted

AUGUSTA (GA) CHRONICLE
MARCH 2, 1999

By Robert Pavey
Staff Writer

A host of paid experts are prepared to testify about links between Augusta's sewage sludge and sick cattle on two dairy farms, according to reports filed Monday in U.S. District Court.

Boyceland Dairies and R.A. McElmurray & Sons are suing the city over claims their land and cattle were poisoned by sewage sludge that was treated and applied improperly.

The sludge, a byproduct of sewage treatment at the city's Messerly Wastewater Plant, was touted as a free fertilizer to enhance hay, corn and oats grown for cattle feed.

The families, however, claim the estimated 93 million gallons of sludge applied to their lands over two decades contained industrial chemicals that slowly poisoned their cattle.

City officials deny those claims, and are appealing a Dec. 28 Georgia Environmental Protection Division order mandating widespread improvements to the city's sludge program and other wastewater operations.

The families filed statements in court this week from 19 potential expert witnesses -- most of whom would be paid for their opinions -- including engineers, veterinarians, toxicologists, soil scientists and agriculture specialists.

Dr. Richard L. Large, president of A&L Analytical Laboratories, wrote that soil from the farms contained seven to 10 times the average levels of the metal molybdenum, but that normal levels were found on land where sludge was never applied.

Dr. H.G. Blaylock, an Augusta veterinarian, wrote "there is no doubt in my mind" that the families' herd deterioration is the result of sludge poisoning.

Molybdenum, he wrote, is passed from cattle through excrement and not retained in their bodies. However, the molybdenum causes retention of copper in cows' livers and kidneys in forms that are not usable to the body.

The result, Dr. Blaylock wrote, is a copper buildup in those organs, but an actual copper deficiency in the cows. Clinical signs of copper deficiency, he added, were major symptoms in cows that died.

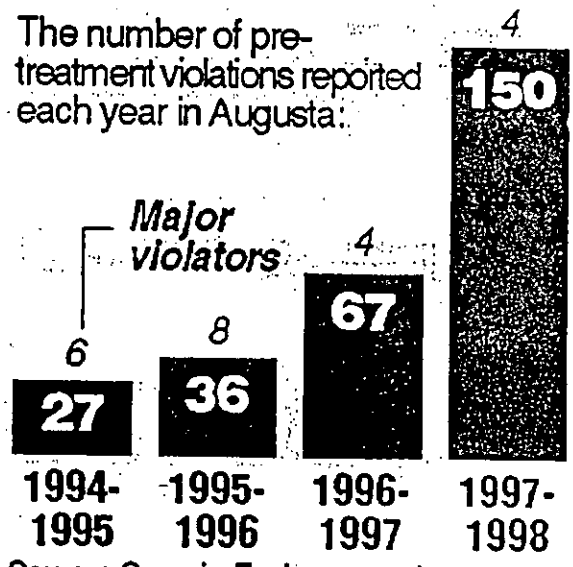
Another vet, Dr. Chip Pritchard, wrote that the primary symptom on both farms was an unexplained degeneration. "The single most striking feature (other than death) is the wasting away of the body condition," he wrote.

The city has not yet responded to the statements or filed reports that could counter those offered by the plaintiffs.

1992 - EPA REPORT SAYS 54% OF INDUSTRIES DON'T COMPLY WITH PRETREATMENT REQUIREMENTS

Wastewater violations

The number of pre-treatment violations reported each year in Augusta:



Source: Georgia Environmental Protection Division

VIOLATIONS BY INDUSTRIES OF PRETREATMENT LIMITS ON THE DISCHARGE OF TOXIC CHEMICALS INTO PUBLIC SEWER SYSTEMS ARE ON THE RISE !!!

ALL BUSINESSES AND INDUSTRIES GET TO DUMP 33 POUNDS OF HAZARDOUS WASTES INTO PUBLIC SEWERS EVERY MONTH WITH NO REPORTING REQUIREMENTS (40CFR403)

FREQUENT AND STRINGENT TESTING REQUIREMENTS ARE THE ONLY WAY TO KNOW WHAT TOXIC CHEMICALS ARE PRESENT IN SEWAGE SLUDGE.

PORTSMOUTH, N.H.

Herald Sunday, February 28, 1999–F3

Bill threatens local control of waste disposal

Law could open N.H. to more sludge

By HELANE SHIELDS

The waste industry stranglehold on New Hampshire will soon be complete. A bill has been filed to pre-empt towns from enacting local sludge control ordinances.

New Hampshire is the only state in New England importing toxic Class B sewage sludge and chemically contaminated paper mill sludge. Not one tablespoon of sludge from the heavily industrialized cities of Lowell and Springfield touches the ground in Massachusetts.

Out-of-state sludge is so high in pollutants it constitutes low-level hazardous waste under state laws. The Sierra Club has sued the N.H. Department of Environmental Services for altering test results to reduce chemical concentrations below hazardous waste levels.

Industrial wastes pour into sewage treatment plants and end up being reconcentrated in the sludge. Only 225 companies in New Hampshire have pretreatment programs out of 4,000 facilities identified by the state as handling hazardous wastes. Every business and industry in New Hampshire (and the whole country) can dump 33 pounds of toxic chemicals into public sewers every month with no reporting requirements.

New Hampshire imported more than 800,000 tons of trash from Massachusetts in 1997. New Hampshire is importing contaminated soil from the Central Artery/Tunnel Project in Massachusetts.

Per EPA Toxics Release Inventory, in 1996 Maine imported 9,455 pounds of hazardous waste — Vermont imported 1,019 pounds — and New Hampshire imported 97,579 pounds of hazardous wastes.

More than 40 percent of the sewage and paper mill sludge being spread in New Hampshire comes from out of state. And that number doesn't even include tens of thousands of tons of unregulated Class A sewage sludge from Lowell and Springfield. The sludge merchants are paid anywhere from $40 a ton on up to get rid of this contaminated waste. Landspreading is the cheapest disposal method. So huge profits are at stake.

Gov. Jeanne Shaheen is siding with the waste industry, which has turned our beautiful state into a regional dump. Her office is already pressuring legislators to lay off the DES and back down on the sludge issue. Payback time for campaign contributions!

The waste industry has written New Hampshire sludge rules so that the DES must give it permits to import out-of-state sludge if the industry provides a few test results. All other states in New England have stricter rules and retain discretionary powers to reject toxic industrial sludge from being imported into their states.

If local control is wiped out, towns have no protection from being designated by the DES as disposal sites for out-of-state sludge. It already happened in Milford where the DES told residents and town officials, "We are not here to debate department policy," and "We are not here to respond to your concerns!"

Only a massive grassroots uprising can save our state from the sludge industry and its political minions. Please ask your local town officials to contact the N.H. Municipal Association to oppose this pre-emption bill that will wipe out home rule. Tell your state representatives and state senator you want this bill defeated.

We need your support now and when the bill comes up for a hearing in Concord. Please call the N.H. Sierra Club at 224-8222 or me, at 875-3842 (e-mail: hshields@worldpath.net) so we can work together to take back our state from the waste industry and the politicians who are selling us out!

Helane Shields is a resident of Alton.

Bill could open state to more dumping

Foster's Daily Democrat, Dover, N.H
Friday Evening, February 26, 1999

House bill strips control over sludge

To the editor:

Why is New Hampshire the only state in New England that allows the dumping of imported Class B (industrial) and toxic paper mill sludge?

Sludge is put on properties as a fertilizer. It can be made up of human waste and other natural organisms. But, in Class B sludge the possible toxic materials are much more than what the industry can test. If the sludge were to be tested for all the possible toxins, the product would be cost-prohibitive.

The people of 40 towns voted to put restrictions on the type of sludge to be spread or not allow it to be spread at all. Were their energies wasted?

There is a bill in the house, HB 222, that will override all the efforts put forth by the towns and control the spreading of sludge at the state level.

The claim by the proponents of this bill is that the towns are looking at this issue from an emotional and not a scientific point of view. I think if anyone thought about it logically it would become obvious that putting a toxic material over an aquifer used for drinking water will eventually contaminate the water supply.

As we all know, there are many water supplies that are contaminated now. Should we take a chance on contaminating more?

Bill Vance
Strafford

Foster's Daily Democrat, Dover, N.H
Thursday Evening, March 11, 1999

Sludge bill revokes right to protect land

To the editor:

Harold Melcher, state representative, has introduced a bill which would deny towns the right to regulate sludge. If the Melcher bill is passed, a vote in your town to restrict or ban sludge would be "void and of no force or effect." The cherished tradition or local control would be wiped out for the benefit of the waste industry.

The stated purpose of Melcher's bill is to establish an equitable manner for landspreading sludge. In my dictionary, "equitable" is defined as fair, just; characterized by equity. I wonder what dictionary Mr. Melcher uses for reference.

What is equitable about nullifying local ordinances enacted through the democratic process? What is equitable about stripping citizens of their right to protect their drinking water, their wildlife, their farmlands, their food, and their children's health?

What is equitable protecting a system in which an elderly landowner can be duped into having 200 tons of out-of-state industrial waste spread on his precious land having been told the material is "compost."

Is it equitable that New Hampshire towns accept all of the industrial waste from the Springfield and Lowell, Massachusetts wastewater? Is it equitable for these small N.H. towns to be responsible for disposing of the pollutants released by the chemical giant Monsanto? Is it equitable for these communities to pay the price down the line when we begin to see the effects of teratogens in our wildlife, dioxins in our locally produced milk, and toxic compounds in our groundwater?

House Bill 222 is anything but fair and just. It denies citizens in New Hampshire towns the right to protect their resources, their property and their children's health.

Please contact your local representatives and senator and urge them to oppose House Bill 222.

Diane St. Germain
Center Barnstead

Foster's Daily Democrat, Dover, N.H
Thursday Evening, February 25, 1999

Protect the right to say no to sludge

To the editor:

Rep. Harold Melcher wants to deny towns the right to say "no" to contaminated sludges.

If House Bill 222 passes, all local control over sludges being imported into New Hampshire towns would be wiped out.

Harold Melcher want to deny you the right to vote to regulate sludge to protect your groundwater, farmlands and health. If Harold Melcher has his way, the waste industry will continue to use New Hampshire towns as disposal sites for contaminated industrial sludge from the Springfield and Lowell, Mass., sewage plants and for dioxen-laden papermill wastes from out-of-state.

The citizens of 40 New Hampshire towns have voted to ban or restrict the landspreading in their towns. These citizens have used the democratic process to protect their people, their property and their resources. They voted to protect their towns from being used as dumping grounds for contaminated out-of-state sludge. The Melcher bill will nullify the ordinances enacted by these 40 towns.

Please call your legislators and urge them to preserve local control by opposing the Melcher bill, House Bill 222. Rally in Concord at 11:45 on Wednesday, March 3 at the Legislative Office Building.

For further information call Citizens for a Future New Hampshire, 284-6998 or N.H. Sierra Club, 224-8222.

Thomas McCarthy
Center Barnstead

NEW HAMPSHIRE TOWNS WHICH HAVE BANS, MORATORIUMS OR VERY STRICT REGULATIONS ON LANDSPREADING SEWAGE SLUDGE (AND INDUSTRIAL PAPER MILL SLUDGE IN MOST CASES):-

ACWORTH
ALTON
ALEXANDRIA
ATKINSON
AUBURN
BARNSTEAD
BENTON
BETHLEHEM
BRIDGEWATER
BROOKFIELD
DEERING
EFFINGHAM
EPPING
HANCOCK
JAFFREY
MADISON
MIDDLETON
MILFORD
NEWBURY
NOTTINGHAM
OSSIPEE
SALEM
SANDWICH
STRAFFORD
SUTTON
TAMWORTH
TILTON
WAKEFIELD
WEBSTER
WINCHESTER
WINDHAM

TOWNS WITH LOCAL SLUDGE ORDINANCES WHICH ARE MODERATELY RESTRICTIVE:-

BELMONT
BRENTWOOD
CHESTER
CLAREMONT
JEFFERSON
KINGSTON
LANCASTER
LANDAFF
LITTLETON
LOUDON
NORTHFIELD
ROLLINSFORD
STRATHAM
WALPOLE
WHITEFIELD

Foster's Daily Democrat, Dover, N.H
Thursday Evening, April 3, 1997

Mike Rainey of the state's Department of Environmental Services said his organization is impartial to the voting outcome. He said the DES leaves sludge regulations up to the individual communities.

This is a "local control" issue -- as the Town of Milford, NH, found out in Spring 1998. Unanimous opposition of Town officials and residents did not deter the N.H. Dept. of Environmental Services from designating Milford as a disposal site for out-of-state sewage and paper mill sludge.

THE NH DES HAS NEVER SAID "NO" TO A SLUDGE SITE PERMIT, AND THEY HAVE NEVER SAID "NO" TO AN APPLICATION TO DUMP OUT-OF-STATE SLUDGE IN NEW HAMPSHIRE

Sludge activists hold their ground

Both sides conduct State House rallies

By MIKE RECHT
The Associated Press

While lawmakers took up bills yesterday to give the state control over spreading sludge, supporters and opponents confronted each other outside in competing rallies.

About a dozen people showed up for each side; opponents carried signs calling for local control, which they say could be more restrictive. Supporters brought along a farm manure spreader and tractor and said state regulations are good enough.

They even disagreed on the name of the material they were fighting over. For opponents of the bills it's sludge; for supporters it's biosolids.

Diane St. Germain of Barnstead, who raises pigs, said about 40 towns in the state restrict or ban spreading sludge. She said House Bill 222 would nullify all of them and give the state sole authority to set any restrictions.

"Most of the farmers in town would never consider putting industrial waste on their land because of their concern for the quality of their product and the people," she said.

Carolyn Snyder of Sandwich, a retired environmental science professor at the Rochester Institute of Technology, said her group is not trying to stop sludge use entirely, but it doesn't want it used near water supplies or on dairy pastures.

Helane Shields of Alton, whose husband is an organic farmer, complained that sludge was being imported from Massachusetts, Vermont and Maine. She said it's the industrial chemicals in the sludge that cause concern.

But Charley Hanson of the recycling company White Mountain Resource Management in Holderness, said all sludge must meet strict safety standards including those from out of state.

"There's no difference," he said. "Most of the biosolids in New Hampshire meet the strictest regulations," he said.

Biosolids, he said, probably are "one of the most environmental friendly" materials used.

Dairy farmer Mike Townsend of Lebanon said he has been using sludge for eight years, "and the only complaint is the odor of the cow manure," not sludge. He said it replaces commercial fertilizer and less is needed because it is more concentrated, "and biosolids help build the soil back up and make it healthier."

He also gets it free, saving $10,000 to $15,000 a year.

Townsend said the University of New Hampshire has been testing ground water on his property and has found no contamination.

MANCHESTER (NH) UNION LEADER
3-4-99

House sponsor backs out on bill lifting sludge bans

By TOM FAHEY
Union Leader Staff

The sponsor of a House bill that would not only prevent communities from banning sludge spreading but also would eliminate existing bans yesterday withdrew support for his own measure.

As hearings on House Bill 222 opened before the House Environment and Agriculture Committee, Harold P. Melcher, R-Wilton, said he was withdrawing his support for it. He also said he no longer backed a bill to set up a sludge advisory board to establish scientific standards for sludge allowable for spreading.

"Research, work and decisions on rules are progressing now steadily at a wholly reasonable pace," at the state Department of Environmental Services, Melcher said. "None of the bills before us today are necessary."

Melcher also said yesterday he opposed three bills that prevent sludge from being spread near rivers or on sand and gravel excavation sites and that would stop treatment plants from refusing waste from towns that ban sludge spreading.

Opponents, who honed in on HB 222, say New Hampshire is the most lax of any state in New England in allowing sludge to be spread, and is fast becoming the region's dumping ground. Sludge is the by-product of sewage treatment, comprising just about anything that goes down a drain, and including industrial waste and wood pulp waste.

Members of the Sierra Club, Citizens for a Future New Hampshire and other groups say the mixture contains heavy metals, arsenic and even radioactive waste. And they accuse the state's Department of Environmental Services of being too slow to address the problem.

The companies that produce sludge prefer the term "biosolids." They say the substance is important to the agriculture, forestry and land reclamation. They point to federal standards for sludge that are meant to make sure they are safe before being spread on open land.

Sludge opponents said the biosolid industry, including BFI and Wheelabrator, are trying to force the state to accept sludge no other New England state wants. Sludge from Massachusetts, Vermont and Maine is already spread here, they said.

State Sen. Jim Rubens R-Etna, said the state has never rejected a sludge dumping application. New Hampshire has the weakest sludge dumping standards in the region, he said.

Local restrictions in effect in 40 communities, "have been very effective and it hasn't gone unnoticed," by the biosolid industry, said Charlie Reed of CFNH. "Now they're trying to wipe out the work we've done."

He said the only safe by-product of sewage and wastewater treatment is sludge that has been incinerated. Otherwise, infectious agents, bacteria and viruses survive the treatment process.

While the industry says farmers rely on sludge as a source of fertilizer, none will go bankrupt without it, Reed said.

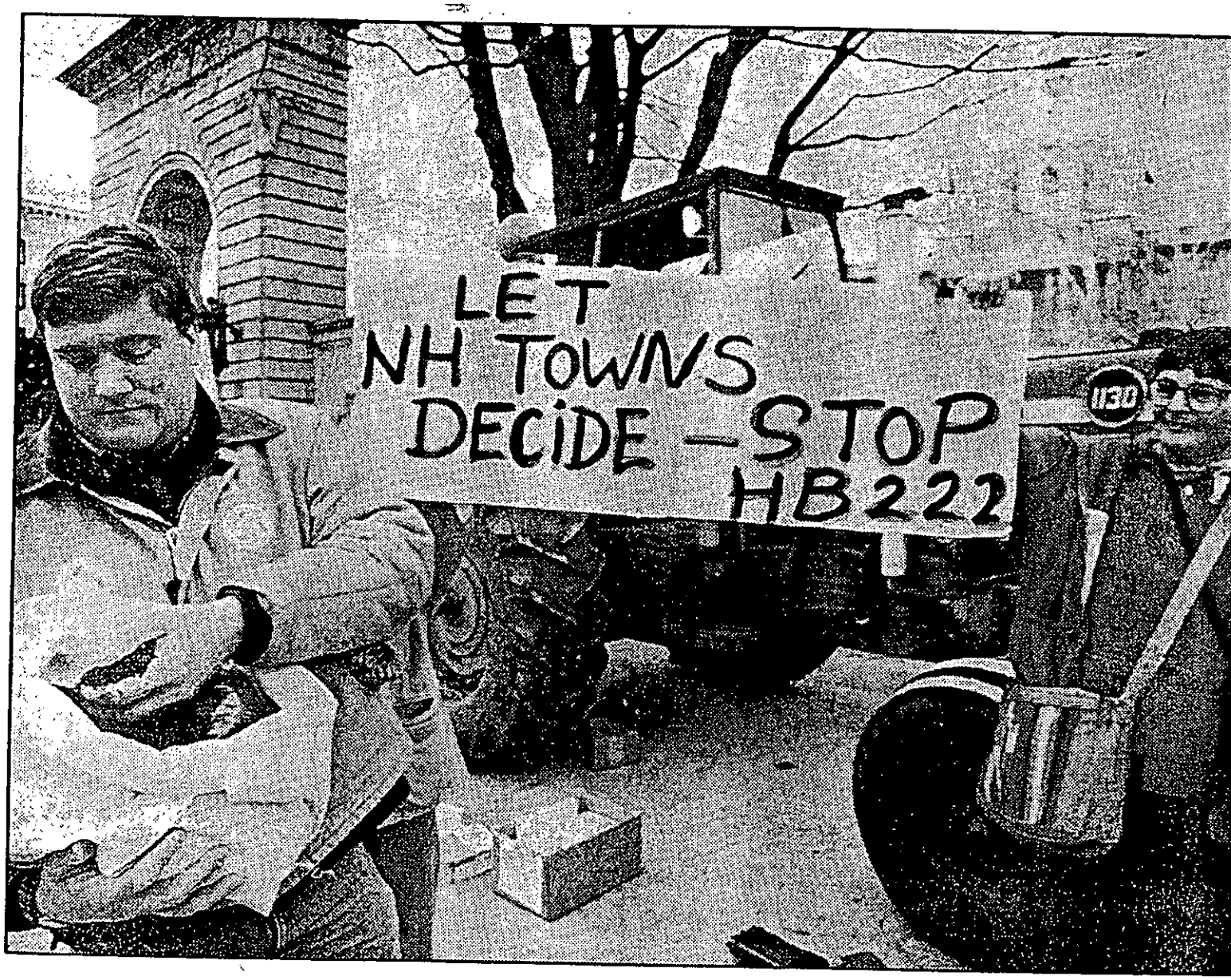
Douglas Bogen, New Hampshire program director for Clean Water Action, said the problem is that wastewater treatment is designed to concentrate toxins and other contaminants in sludge, and to produce clean water.

Saying the substance is fit to spread on pasture and crop lands "is a scam perpetrated on the public."

Charles Hanson, of White Mountain Resource Management Inc. in Ashland, said biosolids are a safe and effective recycling measure. He said more cadmium is spread on farmland in the form of commercial fertilizers in one year than in all biosolids put together.

"We know exactly what we are applying at any given time at any given level," he said, because the industry tests its product before shipping.

The bills will go through subcommittee before the full committee votes on whether to recommend them.



Bob LaPree/Union Leader Sta

PRO AND CON SLUDGE — While Charley Hanson of Ashland, left, outside the State House in Concord yesterday, shows the high quality of the bio-solids produced at the Merrimack compost facility, Elizabeth Janeway of Webster holds a sign protesting the House bill that would eliminate local control over the spreading of the by-products of wastewater treatment plants.

Voting Sheets

HOUSE COMMITTEE ON ENVIRONMENT AND AGRICULTURE

EXECUTIVE SESSION on HB 648

BILL TITLE: **relative to a sludge testing program.**

DATE: April 13, 1999

LOB ROOM: 303

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, ITL, Re-Refer, Interim Study (Please circle one.)

Moved by Rep. Owen

Seconded by Rep. Messier

Vote: 14-0 (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Re-Refer, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: 14-0

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Derek Owen, Clerk

1999 SESSION

HB 648 Bill #

Public Hearings _____ Executive Session 4/13/99

COMMITTEE REPORT: REREFER

	YEAS	NAYS
Musler, George T, Chairman		
Leishman, Peter R, V Chairman		
Messier, Irene M	✓	
Pratt, Leighton C	✓	
McRae, Karen K, Clerk		
Philbrick, Donald R	✓	
Babson, David L, Jr		
Phinney, William R	✓	
Marshall, Kenneth R	✓	
Dunlap, Patricia C	✓	
Franks, Suzan L R	✓	
Scanlan, David M		
Cobb, John S	✓	
Harmon, Hobart M		
Hall, Betty B		
Owen, Derek	✓	
Melcher, Harold P	✓	
Meader, David R	✓	
Ouellette, Mary M		
Phinizy, James	✓	
Shelton, Richard C	✓	
Tuthill, John G	✓	
TOTAL VOTE		

Appeared in Favor	Appeared in Opposition
14	0

EXECUTIVE SESSION

COMMITTEE: C + A

BILL NUMBER: HB 648

BILL TITLE: _____

DATE: 10-26-99 LOB ROOM: 303

Amendments:

Sponsor: Rep. Hall OLS Document #: 2178 Adopted/Failed

Sponsor: Rep. _____ OLS Document #: _____ Adopted/Failed

Sponsor: Rep. _____ OLS Document #: _____ Adopted/Failed

Motions: OTP (OTP/A), ITL, Re-Refer, Interim Study (Please circle one.)

Moved by Rep. Cobb

Seconded by Rep. Hall

Vote: 18-0 (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Re-Refer, Interim Study (Please circle one.)

Moved by Rep. _____

Seconded by Rep. _____

Vote: _____ (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: NO

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Karen McPae, Clerk

Bill # HB648

Public Hearings Executive Session 10-26-99

COMMITTEE REPORT: OTP/A

	YEAS	NAYS
Musler, George T, Chairman		
Leishman, Peter R, V Chairman	✓	
Messier, Irene M	✓	
Pratt, Leighton C	✓	
McRae, Karen K, Clerk	✓	
Philbrick, Donald R, Acting Clk	✓	
Babson, David L, Jr	✓	
Phinney, William R	✓	
Marshall, Kenneth R	✓	
Dunlap, Patricia C	✓	
Franks, Suzan L R		
Scanlan, David M	✓	
Cobb, John S	✓	
Harmon, Hobart M		
Hall, Betty B	✓	
Owen, Derek	✓	
Melcher, Harold P	✓	
Meader, David R	✓	
Ouellette, Mary M		
Phinizy, James	✓	
Shelton, Richard C	✓	
Tuthill, John G	✓	
TOTAL VOTE	18	0

Appeared in Favor

Appeared in Opposition

Committee Report

COMMITTEE REPORT

COMMITTEE: **Environment and Agriculture**

BILL NUMBER: **HB 648-FN**

TITLE: relative to a sludge testing program.

DATE: April 13, 1999 CONSENT CALENDAR YES ☒ NO ☐

☐ OUGHT TO PASS

☐ OUGHT TO PASS WITH AMENDMENT

☐ INEXPEDIENT TO LEGISLATE

☒ RE-REFER

☐ REFER TO COMMITTEE FOR INTERIM STUDY
(Available only in second year of biennium.)

STATEMENT OF INTENT
(Include Committee Vote)

There was a unanimous vote in favor to re-refer HB 648-FN to the Committee pending final action on SB 195, which deals with related subjects.

Vote 14-0.

Rep. Derek Owen
FOR THE COMMITTEE

Original: House Clerk
cc: Committee Bill file

USE ANOTHER REPORT FOR MINORITY REPORT

COMMITTEE REPORT

COMMITTEE: **Environment and Agriculture**

BILL NUMBER: **HB 648-FN**

TITLE: relative to a sludge testing program.

DATE: October 26, 1999 CONSENT CALENDAR YES ☐ NO ☒

☐ OUGHT TO PASS

☒ OUGHT TO PASS WITH AMENDMENT

☐ INEXPEDIENT TO LEGISLATE

☐ RE-REFER

☐ REFER TO COMMITTEE FOR INTERIM STUDY
(Available only in second year of biennium.)

STATEMENT OF INTENT
(Include Committee Vote)

This bill was re-referred to the Environment and Agriculture Committee and after much consideration, it was decided to amend the bill emphasizing the reporting procedure. We put a cap on the sludge testing fee for generators satisfying a concern of municipalities. Coordination was established between both the sponsor, the Department of Environmental Services, and authorities at the University of New Hampshire. Funding comes from State Aid Grant Programs which will not have an adverse impact for present budgets.

Vote 18-0.

Rep. John S. Cobb
FOR THE COMMITTEE

Original: House Clerk
cc: Committee Bill file

USE ANOTHER REPORT FOR MINORITY REPORT

Environment and Agriculture

HB 648-FN, relative to a sludge testing program. OUGHT TO PASS WITH AMENDMENT

Rep. John S. Cobb for **Environment and Agriculture:** This bill was re-referred to the Environment and Agriculture Committee and after much consideration, it was decided to amend the bill emphasizing the reporting procedure. We put a cap on the sludge testing fee for generators satisfying a concern of municipalities. Coordination was established between both the sponsor, the Department of Environmental Services, and authorities at the University of New Hampshire. Funding comes from State Aid Grant Programs which will not have an adverse impact for present budgets. Vote 18-0.

COMMITTEE REPORT

COMMITTEE: E & A

BILL NUMBER: HB648-FN

TITLE:

DATE: 10-26-99 CONSENT CALENDAR: YES ☐ NO ☒

☐ OUGHT TO PASS

☒ OUGHT TO PASS W/ AMENDMENT

Amendment No. 2178h

☐ INEXPEDIENT TO LEGISLATE

☐ RE-REFER

☐ INTERIM STUDY (Available only 2nd year of biennium)

STATEMENT OF INTENT:

This bill was re-referred to the E & A Committee after much consideration, it was decided to amend the bill, emphasizing the reporting procedures. We put a cap on the sludge testing fee of generators satisfying a concern of municipalities. Coordination was established between both the Sponsor, DES and authorities at UNH. Funding comes from State Aid grant Program which will not have an adverse impact for present budget.

COMMITTEE VOTE: 18-0

- Copy to Committee Bill File
- Use Another Report for Minority Report

RESPECTFULLY SUBMITTED,

Rep. [signature]
For the Committee

Rev. 07/30/99