February 10, 2026

Chair Judy Aron
Environment and Agriculture Committee
New Hampshire House of Representatives
107 North Main Street
Concord, NH 03301

RE: Testimony in Support with Amendment of HB 1275: An Act relative to the effects of per- and polyfluoroalkyl substances on agriculture

Dear Chair Aron, Vice Chair Barbour, and Members of the New Hampshire Environment and Agriculture Committee:

Thank you for the opportunity to provide testimony on HB1275. Just Zero supports this bill with amendment. We urge the committee to adopt an amendment and submit a favorable report on the bill.

Just Zero is a national environmental nonprofit advocacy organization that works in partnership with communities, policymakers, scientists, educators, and organizers to advance just and equitable solutions to climate-damaging and toxic production, consumption, and waste systems. We believe all people deserve Zero Waste solutions that deliver zero climate-damaging emissions and zero toxic exposures, while strengthening local economies and public health.

HB1275 addresses a significant threat to public health and the environment that has been ignored for decades—contamination of farmland, soil, and water from the land application of sewage sludge.[1] Sewage sludge is the material that remains after wastewater from various sources is treated. It is unfortunately marketed as beneficial "fertilizer" though it is in fact contaminated with toxic forever chemicals. This law rightly places a temporary ban on the land application of this toxic material on farmland.

We recommend an amendment to (1) expand the moratorium to apply to the application of sewage sludge *and* sewage sludge derived material on *all* land in New Hampshire; and (2) sunset the civil immunity to the moratorium end date. We also encourage an eventual total ban to protect New Hampshire farmers, residents, and the environment.

[1] Sewage sludge is sometimes interchangeably called "sludge" and "biosolids." For this testimony, we will be using the term "sewage sludge" and "sludge."

I. Sewage Sludge is a Noxious By-Product of Wastewater Treatment

Understanding how sewage sludge is made demonstrates how sewage sludge is not a "beneficial fertilizer." The process first starts with all the waste that goes into the sewer. This includes industrial waste, hospital waste, commercial waste, landfill leachate, human waste, storm water runoff, and every other kind of waste that goes down the drain. This material is then sent to a wastewater treatment facility ("WWTF") where it is treated to meet water quality standards. The treated water is then discharged into rivers, lakes, and oceans. What remains is a noxious by-product referred to as sewage sludge—a mud-like material containing hundreds of known toxics. This includes heavy metals, microplastics, and synthetic chemicals such as per- and polyfluoroalkyl substances ("PFAS").[2] WWTFs are not designed or equipped to remove or destroy these compounds.

II. Sewage Sludge Contains High Levels of PFAS, Compounds Harmful to Human Health

PFAS are a group of approximately 15,000 synthetic chemicals and used in textiles, packaging, automotive, aerospace, firefighting, and electronics because of their performance qualities like heat, water, and stain resistance.[3] They are often called "forever chemicals" because their chemical structure is one of the strongest in organic chemistry and do not break down in the environment. PFAS compounds are known to be toxic to humans in concentrations as low as single-digits parts per trillion.[4] Unfortunately, New Hampshire is no stranger to the dangers of PFAS after the staggering discovery of significant PFAS contamination in Merrimack's residential wells surrounding the plastics company, Saint-Gobain.[5]

These chemicals are associated with growth, learning, and behavioral problems in infants and children; fertility and pregnancy problems, interference with natural human hormones; increased cholesterol; immune system problems; and, interference with liver, thyroid, and pancreatic function.[6] New Hampshire was also the site of a significant 2025 study finding that New Hampshire mothers drinking PFAS-contaminated groundwater experienced significantly higher rates of infant mortality, preterm birth (including extremely preterm births before 28 weeks), and low birth weight.[7]

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[2] Jochen Heidler & Rolf Halden, *Meta-analysis of mass balances examining chemical fate during wastewater treatment*, 42 Environ. Sci & Technol. 6324 (2008).
[3] U.S. Env't Prot. Agency (EPA), CompTox Chemicals Dashboard (last updated Oct. 24, 2025).
[4] U.S. Agency for Toxic Substances and Disease Registry (ATSDR), Toxicological Profile For Perfluoroalkyls, U.S. Dep't of Health & Human Serv., 5–6 (May 2021).
[5] Molly Rains, *Combing data, researchers confirm elevated kidney cancer rates in Merrimack and Manchester*, New Hampshire Bulletin (Oct. 17, 2025).
[6] ATSDR, *supra* note 4.
[7] Robert Baluja et al., *PFAS-contaminated drinking water harms infants*, Proceedings of the Nat'l Acad. of Sci. (2025)

Sewage sludge in particular is a material PFAS concentrates within at extremely high levels.[8] A 2025 Massachusetts report showed that every sludge sample taken at 114 WWTFs in the state had high concentrations of PFAS, ranging from thousands to millions parts per trillion (ppt).[9] This is drastically higher than the U.S. Environmental Protection Agency's (EPA) enforceable drinking water limits for PFOA and PFOS which are 4 ppt for each chemical.[10]

III. Sewage Sludge Contaminates Food, Soil, and Water—Harming Public Health and the Environment

Spreading sewage sludge on land provides a direct route for PFAS to contaminate food, soil, and water[11]—creating serious risks to both human health and the environment. A recent EPA study determined that land applying sewage sludge with just 1 part per billion (ppb) of PFOA or PFOS can increase cancer risks and other health hazards by at least 1,000 times the acceptable limits.[12] A 2022 study showed PFAS from land application of sewage sludge migrating as far as 17 meters to underlying groundwater.[13] Once spread, PFAS can then remain in soil for years, increasing PFAS concentration with multiple applications.[14] Though it is now well known by companies and WWTFs that sewage sludge contains these harmful forever chemicals, it is still marketed and sold as a useful "fertilizer." As a result, farmers continue to have a misconception that this material is safe and continue to land apply this material as a cheap fertilizer.

Contamination from land applying sewage sludge extends beyond PFAS to other harmful substances in sludge. Like PFAS, pharmaceuticals, industrial chemicals, and other hormone disrupting compounds in sludge also resist degradation and accumulate in the environment after being applied to land.

IV. Banning The Land Application of Sewage Sludge Aligns New Hampshire with Growing Legislative Consensus

As communities are understanding how widespread PFAS contamination is and its serious health implications, states are taking action to protect their residents. In the last year, at least ten states across both political aisles have introduced legislation to regulate or ban the land application of

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[8] Heidler & Halden, *supra* note 2.
[9] Mass. Dept. of Environmental Protection (MassDEP), *Data Analysis Report: PFAS Testing Study for NPDES POTWs (PRF-77)*, (2025).
[10] EPA, Per- and Polyfluoroalkyl Substances (PFAS) Final PFAS National Primary Drinking Water Regulation (last updated Dec. 4, 2025)
[11] Ali Behnami et al., *Biosolids, an important route for transporting poly- and perfluoroalkyl substances from wastewater treatment plants into the environment: A systematic review*, 925 Sci. of the Total Env't 171559 (2024);
[12] 90 Fed. Reg. 3864 (Jan. 15, 2025); EPA, EPA-820P25001, Draft Sewage Sludge Risk Assessment for Perfluorooctanoic Acid (PFOA) CASRN 335-67-1 and Perfluorooctane Sulfonic Acid (PFOS) CASRN 1763-23-1 (2025).
[13] Gwynn Johnson, *PFAS in soil and groundwater following historical land application of biosolids*, 211 Water Res. 118035 (2022).
[14] Arjun Venkatesan & Rolf Halden, *Loss and in situ production of perfluoroalkyl chemicals in outdoor biosolids–soil mesocosms*, 132 Env't Res. 321 (2014).

sewage sludge with two states—Maine and Connecticut—successfully instituting a ban. The federal government has also acknowledged the dangers of PFAS and has made significant changes to the ways in which PFAS are regulated. This is not to mention the many local governments instituting local bans to move the tide forward.

On the state level, Maine is leading the charge. In 2019, reports regarding PFAS contamination at Stoneridge Farm in Maine became public. In response, the Maine Department of Environmental Protection halted the spread of sludge until it was tested, which ended up showing widespread contamination,[15] including in over 200 wells and water sources.[16] Over the last decade, Maine has spent over $100 million to counteract the harms of PFAS contamination, including assistance to impacted farmers whose farmland is now profoundly damaged, and still more funding is still needed.[17]

The EPA also now designates PFOA and PFOS – two common and highly toxic PFAS compounds found in sewage sludge– as hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act.[18] In April 2024, the EPA adopted final National Drinking Water Regulations setting a maximum contamination level goal of zero for both PFOA and PFOS.[19] Finally, in January 2025, the EPA released a draft risk assessment warning for the first time that sewage sludge can contaminate soil, groundwater, crops, and livestock with PFAS which poses human health risks.[20] The extensive study concluded that the risks created from using sewage sludge as fertilizer exceed federal safety thresholds, sometimes by several orders of magnitude.[21]

V. The Committee Should Amend HB 1275 to Expand the Moratorium

While the application of sewage sludge is most common on agricultural land because it was wrongly marketed as a cheap and beneficial soil amendment to farmers, it has also been used for other purposes. For example, the practice of spreading sludge material on parks and golf courses is not uncommon. Given how toxic sewage sludge is, it doesn't belong on any land in New Hampshire whether it is used for farming or not. The moratorium should be expanded to include a ban on all land application.

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[15] Tom Perkins, *I Don't Know How We'll Survive: The Farmers Facing Ruin in America's Forever Chemicals Crisis*, The Guardian (Mar. 22, 2022).
[16] Kevin Miller, *Maine DEP Identifies 34 Towns with High-Priority Sites PFAS Chemical Testing*, Maine Public (Oct. 22, 2021).
[17] Penelope Overton, *With Funds Running Out, Maine is at a PFAS Crossroads*, Portland Press Herald (January 23, 2025).
[18] 40 C.F.R. § 302 ; EPA, Designation of Perfluorooctanoic Acid (PFOA) and Perfluorooctanesulfonic Acid (PFOS) as CERCLA Hazardous Substances, (May 8, 2024).
[19] 40 CFR § 141.
[20] 90 Fed. Reg. 385; EPA, *supra* note 12.
[21] *Id.*

Using sludge as an ingredient and mixing it with other materials also does not reduce its toxicity. Sewage sludge is often an ingredient in compost sold at garden stores and retail establishments. This means home gardeners are unwittingly spreading this toxic material and being directly exposed to contaminants like PFAS. The moratorium should be expanded to include a ban on the land application of products mixed with sludge (sludge derived materials).

VI. Conclusion

A temporary ban on the land application of sewage sludge is a good first step towards preventing further PFAS contamination. The risks associated with PFAS are well documented and cannot be ignored. Just Zero urges a favorable report of HB 1275 with an amendment to (1) expand the moratorium to the application of sewage sludge *and* sewage sludge derived material on *all* land in New Hampshire; and (2) sunset the civil immunity to the moratorium end date.

Thank you for your time and consideration of this testimony.

Respectfully submitted,

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Just Zero