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HOUSE JOINT RESOLUTION NO. 101

Offered January 11, 2006

Prefiled January 10, 2006

Requesting the Department of Conservation and Recreation and the Department of Environmental Quality to jointly study the impact of biosolids (sewage sludge) on the water quality of state waters. Report.

Patrons—Byron, Abbitt, Barlow, Cline and Hogan

Referred to Committee on Rules

WHEREAS, biosolids are sewage sludges that have been treated to remove certain chemicals and reduce disease-causing organisms that may pose a threat to human health and the environment; and

WHEREAS, biosolids are disposed of in landfills, incinerated, and, most frequently, applied to the land as fertilizer; and

WHEREAS, according to a 2005 report of the Joint Legislative Audit and Review Commission (JLARC), in 2004 more than 240,000 dry tons of biosolids were land applied to more than 50,000 acres of cropland, hay, pastureland, and forestland in Virginia; and

WHEREAS, this quantity of biosolids contains significant amounts of phosphorus and nitrogen, which are valuable nutrients essential for crop growth; and

WHEREAS, nutrient runoff from agricultural sites is considered a leading cause of water impairment affecting the Chesapeake Bay and Virginia's rivers and streams; and

WHEREAS, there have been recent studies by JLARC, the Commission on the Future of Virginia's Environment, and the National Academy of Science's National Research Council evaluating the land application of biosolids; and

WHEREAS, the focus of these studies has been the health effects of land applying biosolids and not the environmental impacts of biosolids; and

WHEREAS, the federal Clean Water Act requires the Environmental Protection Agency (EPA) to develop regulations to protect public health and the environment from potential problems resulting from the use of biosolids; and

WHEREAS, according to the JLARC report, "EPA has given the biosolids program a low priority, and as a result, has assigned few resources to the program" leaving it to the states to administer the program; and

WHEREAS, in Virginia, the land application of biosolids is regulated and permitted by the Virginia Department of Health and the Department of Environmental Quality; and

WHEREAS, the JLARC study states that the Department of Health is "currently unable to ensure that biosolids applications are conducted according to established management practices and site-specific requirements"; and

WHEREAS, the Department of Health has cited companies for applying biosolids in a manner where biosolids have run off fields and into drainage ways, and may have entered streams; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Department of Conservation and Recreation and the Department of Environmental Quality be requested to jointly study the impact of biosolids on the water quality of state waters.

In conducting their study, the Department of Conservation and Recreation and the Department of Environmental Quality shall examine the environmental impact of biosolids on both surface and ground water, and, where appropriate, recommend measures to protect Virginia's water sources from contamination.

Technical assistance shall be provided to the Department of Conservation and Recreation and the Department of Environmental Quality by the Virginia Department of Health. All agencies of the Commonwealth shall provide assistance to the Departments for this study, upon request.

The Department of Conservation and Recreation and the Department of Environmental Quality shall complete their meetings by November 30, 2006, and shall submit to the Governor and the General Assembly an executive summary and a report of their findings and recommendations for publication as a House or Senate document. The executive summary and report shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports no later than the first day of the 2007 Regular Session of the General Assembly and shall be posted on the General Assembly's website.

INTRODUCED

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