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delivered by email to [bwsc.information@mass.gov](mailto:bwsc.information@mass.gov).

**Re: PFAS-related MCP revisions, 310 CMR 40.00**

July 19, 2019

Dear Ms. Callahan,

We at NEBRA are concerned about MassDEP establishing, in the MCP revisions, some very low soil cleanup standards for PFAS. Our concerns stem from the fact that the extent of PFAS contamination in the Commonwealth has not been fully evaluated and the science on PFAS toxicology, exposure scenarios, and fate and transport are limited – and developing rapidly. These uncertainties mean that MassDEP cannot and has not quantified the benefits of the proposed regulatory changes. There will likely be, however, significant costs to public and private organizations, including many municipalities and utilities.

In addition, MassDEP has not evaluated all of the potential impacts to a wide variety of activities important to Massachusetts residents, communities, and the Department's own goals. For example, can MassDEP predict, at this point, whether or not the proposed soil cleanup values will impact

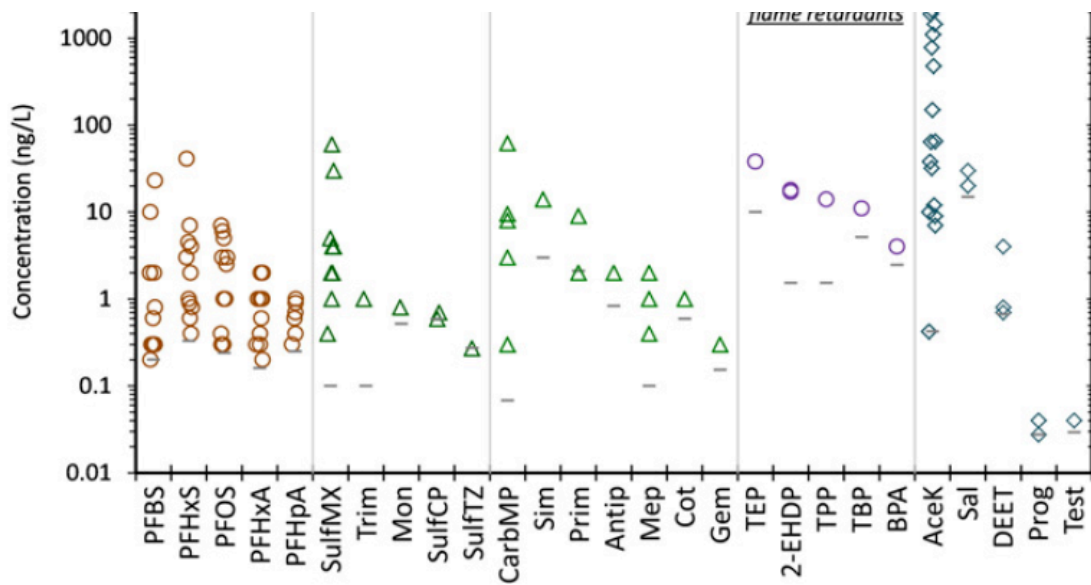
- community composting programs,
- anaerobic digestion and renewable energy systems,
- the management of wastewater residuals (sludges),
- septage management,
- municipal solid waste (MSW) transfer stations and other MSW systems, and
- climate initiatives that depend on these activities?

Given the decade of concerted effort MassDEP and sister agencies have spent – and millions of dollars – to advance the landfill organics ban and encourage organics recycling, and given the ubiquitous finding of PFAS in many places (for example, see Vermont DEC's report on background soil levels on that state), can MassDEP know, at this point, that the proposed low soil cleanup standards will be attainable around any of the above activities? Or will the proposed soil cleanup standards become *de facto* bans on some of these activities, activities that have proven benefits?

These are questions that need to be discussed and answered before such low enforceable standards for PFAS are set for soil cleanup and groundwater and other matrices. The lowest proposed groundwater cleanup value – 20 ppt for six PFAS combined – may be untenable. Consider the levels found in groundwater on Cape Cod, presumed to be solely from home septic systems (see figure from Schaidler et al., 2016).

Interim, higher regulatory values are more appropriate at this time; future regulation based on more complete knowledge can make adjustments as needed.

But for now, we fear that the beneficial use of biosolids and residuals and other long-standing activities will be disrupted significantly by the proposed MCP revisions.



We welcome further discussion and adjustments to our understanding, based on research and data. Thank you for your consideration of these concerns.

Best regards,

Ned Beecher  
Special Projects Manager

**The North East Biosolids and Residuals Association (NEBRA)** is a 501(c)(3) non-profit professional association advancing the environmentally sound and publicly supported recycling of biosolids and other organic residuals in New England, New York, and eastern Canada. NEBRA membership includes the environmental professionals and organizations that produce, treat, test, consult on, and manage most of the region’s biosolids and other large volume recyclable organic residuals. NEBRA is funded by membership fees, donations, and project grants. Its Board of Directors are from CT, MA, ME, NH, VT, and Nova Scotia. NEBRA’s financial statements and other information are open for public inspection during normal business hours. For more information: <http://www.nebiosolids.org>