



ASSOCIATION OF ENVIRONMENTAL AUTHORITIES

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Testimony on Behalf of the Association of Environmental Authorities
Clean Water Council 2023 Online Public Hearing
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My name is Ronald Anastasio, executive director of the Somerset Raritan Valley Regional Sewerage Authority, a member of the Association of Environmental Authorities. I am a member of the AEA executive committee, and I am testifying AEA's behalf. We intend to submit written comments as well.

We commend the Clean Water Council for continuing to explore the environmental challenge of PFAS – last year, in wastewater, and this year, in residuals.

The NJDEP has been thoughtful about preparing to regulate PFAS in surface water discharge. Likewise, for biosolids, NJDEP should carefully consider regulatory and liability implications. It must avoid regrettable missteps made previously, when it issued ground water discharge rules based on analytical methods inappropriate to wastewater. If future regulations or restrictions are contemplated, they should include informed scientific risk assessments and avoid banning appropriate use of high-quality low-risk products.

AEA notes:

- That our members do not manufacture PFAS chemicals. They receive it in the industrial, commercial, and domestic wastewater flowing to the plant and ending up in biosolids. Manufacturers who profit from PFAS should pay for clean-up and treatment, not our customers.
- And that PFAS chemicals are ubiquitous. They were designed to be indestructible. The first step to address them should be to reduce their use in thousands of products, which requires federal-level regulation.

AEA recommends that policy solutions consider the limited options for residuals management, particularly in New Jersey. Here we do not put residuals in in-state landfills. Residuals that go directly into landfills are trucked out of state. In New Jersey, we incinerate residuals. We use incinerated residual ash for cover in landfills. We make a beneficial reuse fertilizer out of high quality residuals, and this organic product is used for fertilizer in municipal, recreational, and landscaping settings. According to the National Association of Clean Water Agencies (NACWA), no federal agencies have questioned existing studies or regulations that find land application safe.

AEA recommends that the NJDEP take advantage of federal-level analysis coming soon. The U.S.EPA promises guidance on PFAS and land application by next month. Soon after that, similar

guidance is anticipated from the Environmental Council of the States (ECOS). EPA is also studying PFAS in residuals as part of its PFAS Roadmap. It has a mechanism to revise residuals regulations based periodic reviews for new pollutants.

While the EPA actions play out, New Jersey can better understand its PFAS pollution by:

- Continuing to trace industrial sources.
- Using data being collected by drinking water purveyors.
- Using leachate and wastewater data being collected per permit requirements and on a voluntary basis.
- And by filling any existing gaps in tracking residuals, whether in-state or trucked out-of-state.

Finally, we recommend the NJDEP consider having POTWs that accept landfill leachate require PFAS minimization plans and annual reporting.

Thank you for your attention.