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Wayne Ogni, Chair  
Gilmanton Planning Board  
P. O. Box 550  
Gilmanton, NH 03237

January 12, 2016

**Re: Petitioned warrant article re biosolids use in Gilmanton**

Dear Mr. Ogni and Members of the Board,

I am writing to urge the Gilmanton Planning Board to OPPOSE the petitioned warrant article submitted by voters that would amend the Town's zoning ordinance to preclude the use of biosolids, for the following reasons:

- After decades of use at thousands of sites across North America and scores of sites in New Hampshire, there is no scientific basis for restricting use of biosolids that are treated, tested, and managed in accordance with existing federal and state regulations.
  - Risk assessments and research conducted by U. S. EPA, U. S. Dept. of Agriculture, U. S. Food & Drug Administration, state regulatory agencies, and land grant universities around the country underlie federal and state regulations, making biosolids likely the most researched and regulated material used on farms and other soils. New Hampshire regulatory standards are far more stringent than the already strict federal regulations that the National Academy of Science has twice reviewed and found to be adequately protective of public health and the environment. These risk assessments – and the regulations built on them – consider potential impacts to surface waters and groundwater.
  - Just last year, New York state – regulatory agencies and the Supreme Court of Erie County – re-emphasized that biosolids use on farms is a widely accepted agricultural activity protected by the state's Right-to-Farm law. Last month, the highest court in Pennsylvania unanimously agreed that biosolids use is a "normal agricultural activity" that is protected by that state's Right-to-Farm Act.
  - More than 55% of the wastewater solids produced in the U. S. are applied to soils, and it is done in every state in the U. S. and throughout Canada and other countries around the world.
- Biosolids recycling is cost-effective, benefits soils, reduces net greenhouse gas emissions, and is a part of sustainable communities from Seattle to San Francisco and LA to Denver, Chicago, Boston, Concord, Dover, Durham, Franklin, Hanover, Merrimack, Nashua, Plymouth, and more.
  - Restricting biosolids beyond what is required in state and federal regulation is an unfair penalty to local Gilmanton farmers and other landowners who currently benefit from this cost-effective, locally- available fertilizer and soil amendment.
  - The petitioned warrant article is poorly written and would even disallow use of common bagged biosolids fertilizer products, such as composts or Milorganite. This makes fair enforcement of the ordinance very challenging.

If there are concerns with odors or other nuisance issues, those should be addressed through communications between neighbors, farmers, and biosolids managers and further use of best management practices. NEBRA is willing to assist in working through such issues.

There is a huge amount of scientific and other literature available regarding biosolids use on soils. Most useful in discussions such as these are the literature summaries and documents provided by credible, scientific organizations. I have enclosed several such documents that address general and specific issues of common concern:

- NEBRA's introductory FAQ addressing myriad common questions about biosolids & residuals recycling
- A Water Environment Federation (WEF) Fact Sheet on biosolids land application and composting
- An *American Agriculturist* article that provides the farmers' perspective on the value of biosolids
- A summary of a scientific review of the literature comparing risks and benefits of biosolids use vs. the use of manures and traditional fertilizers (Moss et al., 2002)
- An American Society of Microbiology fact sheet on biosolids (2011)
- And a Washington State University fact sheet on biosolids use in gardens & landscapes (2015).

I also encourage you to visit these pages of the NEBRA website and the links they include:

- <http://www.nebiosolids.org/about-biosolids/> - for biosolids basics and considerable detail, including videos and slideshows
- <http://www.nebiosolids.org/resources/> - for more in-depth answers to commonly-voiced concerns, including...
- this page on the scientific basis for biosolids use: <http://www.nebiosolids.org/resources/#/scientific-basis-for-biosolids-use/>, including summaries of both National Academy of Science reviews.

Lastly, I invite any Gilmanton residents to tour a nearby wastewater treatment facility and/or a land application site, to see first-hand the myriad safeguards that ensure this valuable recycling program is safe for our communities and their environment. NEBRA will gladly arrange for tours, provide connections to knowledgeable people, and share more documents and information. Feel free to call or write.

In 2010, Gilmanton reviewed the concept of biosolids use on local lands and found it to be an acceptable practice. This year, if the same thoughtful, fact-based process is followed, we expect the Town will vote the same way. We urge the Planning Board to be a leader in the current discussion, bringing fairness and good science to the fore, and NOT supporting the petitioned ad-hoc ban of local biosolids use.

Thank you for this opportunity to comment.

Sincerely,



Ned Beecher  
Executive Director

**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 MA, ME, NH, NY, 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>.