

Subject: MA Nutrient Regs, NY Court Decision, & More - NEBRAMail August 2015

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From: NEBRA

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Distilled biosolids and residuals news for New England and eastern Canada

August 31, 2015

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CHECK IT OUT...

New anaerobic digestion facility soon to be taking organics and generating power in Brunswick, ME.... [Details...](#)

Biosolids Communications & Public Involvement Workshop at WEFTEC - Sept. 26, 2015

A distillation of 20 years of research & experience on biosolids outreach & working with the public, from leaders from across the continent. **A rare training; don't miss it!**

[Workshop description](#)

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Photo: Wheatfield Against Sludge

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Our annual conference filling up quickly....

[Register](#) for the Residuals & Biosolids Symposium ([agency](#)) and/or the whole [REFOR15](#) conference. Members get discounts; see [registration](#)

[Quebec research paper on biosolids use in silviculture](#)

Gordon Price / Dalhousie University, whose work has been [covered in recent NEBRA news](#), has just published [research on nitrogen \(N\) dynamics](#) in soil...



NEBRA Events page

National Compost Conference
Sept. 16 - 18, 2015
Gatineau, QU

More...

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See NEWEA for [exhibits info & registration](#). [instructions](#).

We thank those already exhibiting: BDP Industries, Casella Organics, David F. Sullivan Assocs., Hach Co., Lystek International, Statewide Aquastore, & Varec Biogas.

No P: MA Nutrient Management Regulations Take Effect

In 2014, the Massachusetts Department of Agricultural Resources (MDAR) proposed new fertilizer nutrient management regulation focused on reducing phosphorus (P) runoff and leaching that contribute to eutrophication of surface waters. Now, pressure to get the regulation in place led to MDAR suddenly promulgating a final regulation (3 CMR 31.00) late this spring with the first effective date – for fertilization of turf – being June 5, 2015. The agricultural parts of the regulation go into effect on December 5, 2015. [More...](#)

Working Through Conflicts:

NY court finds biosolids recycling is an "agricultural activity"

In 2012 and 2013, quasar energy group's Sustainable Biopower subsidiary applied for permit from the NY State Dept. of Environmental Conservation (DEC) for anaerobic digestate (biosolids) storage on a farm in the town of Marilla, southeast of Buffalo. DEC received over 100 public comments on the application, and the town, spurred by local opposition, took a stand against the project. On March 7, 2014, DEC approved the permit. In June of that year, the Town filed a "law & rules" review petition, claiming the DEC's decision on the permit was "capricious" and unlawful.

On August 24th, 2015, the State Supreme Court, Erie County, dismissed Marilla's claims, finding in favor of DEC, Sustainable Biopower, and the farmer on most of the legal technical questions (e.g. statute of limitations) and on substantive issues. Most notably, the court noted that the proposed storage of biosolids is an "agricultural activity," which is protected in agricultural zones (the specific farm is so zoned). The DEC permit remains in place. Contact the NEBRA office for a copy of the decision.

Meanwhile, in the nearby town of Lockport, a [moratorium on biosolids use](#) is under consideration.


And, a newer conflict that has arisen this year in British Columbia began to see some [more nuanced press coverage](#) this month, suggesting that the public discussion is maturing.

In Brief / en bref...

THANK YOU!


NEWS from NEBRA

Past news stories are available on the NEBRA website "[News](#)" page.



The Northeast Residuals & Biosolids Symposium
Monday, October 19, 2015
Double Tree Boston North Shore
Boston, MA


PART OF



BioCycle REFOR15
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Anaerobic Digestion
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Details, abstracts, registration:
BioCycleREFOR.com

Canada updates compost quality standards.... August 25th was the deadline for comments to the BNQ, the Quebec standards bureau, regarding proposed changes to the voluntary Canadian compost quality standards. According to Susan Antler, Director of the Canadian Compost Council (compost.org), the changes were developed by consensus of a committee of experts and include small to moderate tweaks to a variety of things, including the allowable levels of foreign matter, trace element limits for lead (Pb) and molybdenum (Mo), and E. coli. A new, fourth, compost maturity test is included in the revised standards; this test was developed by Paul Arnold of Acadia University and is the first such test developed in Canada.

The prior set of Canadian compost quality standards were published in 2005. For this 2015 update, the committee will review comments at the [national compost conference](#) in Gatineau in September, and the final standards will be published later this year. Or NEBRA member, [Transaqua \(Greater Moncton\)](#) has long had its biosolids compost certified under this stringent voluntary quality standard.

New EPA Incineration Rules Go Into Effect March 16th, 2016.... And, in the meantime, the Mattabassett District in CT is celebrating completion of several years of significant upgrades to its biosolids incinerator. The plant is in compliance with the new MACT standards, almost a year before the deadline. [Read more about Mattabassett.](#)

MassDEP has finalized its **Interim Policy on the Re-Use of Soil for Large Reclamation Projects**. Biosolids and other residuals are not discussed, but the document covers overall standards for soil use in reclaiming mined and other spoiled lands. [See the policy.](#)



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