



March 1, 2022

Honorable Stacy Brenner, Senate Chair  
Honorable Ralph Tucker, House Chair  
Joint Legislative Committee on Environment and Natural Resources  
100 State House Station  
Augusta, Maine 04333

Subject: LD 1911 *An act to Prohibit the Contamination of Clean Soils with So-Called Forever Chemicals*

The Milwaukee Metropolitan Sewerage District (District) urges the members of the committee to reconsider how to regulate per- and poly-fluorinated alkyl substances (PFAS) in biosolids. The District is concerned regarding the ability to continue marketing Milorganite® fertilizer in Maine.

Since 1926, the District has produced Milorganite® fertilizer from biosolids and distributed it throughout the country, including Maine. Milorganite® fertilizer is available in 5-pound and 32-pound bags for the retail lawn and garden market and 50-pound bags for the professional landscaping market. The District has analyzed Milorganite® fertilizer for PFAS as required by Maine. Results have consistently complied with applicable screening levels.

Importantly, the biosolids being land applied today are significantly different from the biosolids applied in the past. Banning today's biosolids will not solve yesterday's problems. Furthermore, banning a specialty lawn and garden fertilizer will not solve problems related to bulk applications on agricultural land.

A complete ban on the land application of biosolids would be a significant burden on interstate commerce and is more than what is necessary to protect public health and the environment in Maine. Instead of a complete ban on the land application of biosolids, the District supports a risk-based approach for establishing limits. The appropriate approach needs to consider different types of biosolids, the different ways biosolids are used, the compounds currently present in biosolids, and the different ways these contaminants may affect human health and the environment.

Thank you for your attention to these comments.

Sincerely yours,

Thomas A. Nowicki  
Staff Attorney