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OPINION

Editorial: A toxic lapse

How is New York only now getting around to regulating the use of potentially toxic sewage sludge as fertilizer?

Times Union Editorial Board

June 13, 2023



Getty Images.
Timothy Hearsum/Getty Images

Here's a brilliant idea: Spread sewage potentially laden with toxic chemicals on farms. What could go wrong?

That question is, of course, rhetorical, in case the state Department of Environmental Conservation didn't get it.

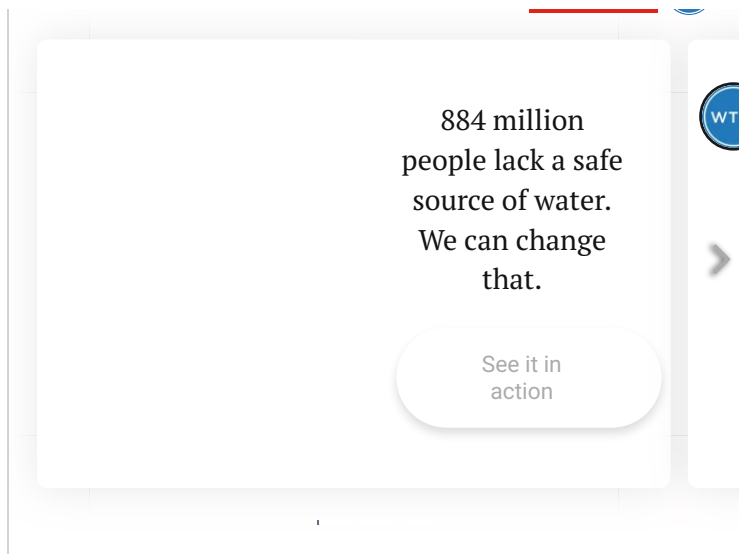
The concern about sewage sludge being used for fertilizer was raised in late May by the Sierra Club Atlantic Chapter, which says New York has failed to regulate the practice even as at least one other state has banned it. Maine's move came after high levels of per- and polyfluoroalkyl substances (PFAS) were found in humans and on farms that used sewage sludge for fertilizer.

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It's not as if the DEC doesn't know the perils of PFAS. Right in the Capital Region, Hoosick Falls has spent years dealing with PFAS contamination of its drinking water, thanks to several local industries. The substances, used in such applications as nonstick coatings and firefighting foam, have been found in soils, water systems and wells across the country.

PFAS, which are dubbed "forever chemicals" since it's unclear how long they remain in the environment, can accumulate in the body and have been associated with a variety of ailments including cancers, thyroid disease and liver damage. The EPA this year said that there is no safe level of the contaminants in drinking water, and is proposing to regulate some of them in concentrations as low as four parts per trillion, which it says is the lowest amount at which they can be reliably measured.

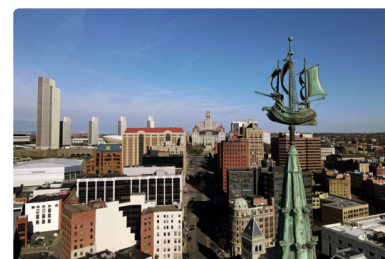
As officials in Maine clearly realized, it's hardly a leap to worry that when such toxic chemicals are absorbed by humans, then passed on into waste and spread on the ground, they will end up in the soil and the water table. But in New York, the DEC appears to be rather ambivalent on the matter.

Based on records obtained under the state Freedom of

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Information Law, the Sierra Club found that in 2017 the agency was aware PFAS were turning up in effluent and solid waste produced by wastewater treatment plants, but failed to inform the plants or recommend restrictions. Rather, the agency has been promoting sewage sludge as a fertilizer. In 2019, the state was aware of at least 46 sites where sewage sludge or compost had been spread, the club found, but only recently started testing the material for chemical pollutants.

The organization is not at all unreasonable in saying that the state should be prepared to financially help farmers whose land may have been contaminated. And, also not unreasonably, it urges the state to ban the use of sewage sludge as a fertilizer.

The DEC’s response isn’t exactly heartening. As the Times Union’s Brendan J. Lyons reported, the agency on the one hand says it recognizes the potential problem with spreading contaminated sewage, while on the other it says recycled biosolids can be beneficial “when properly treated and processed.”

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And where is the policy to ensure sampling is done and outline what actions will be taken? In a draft that was done only last month. Hardly proactive.

New York farms, gardens, parks and playgrounds should not be treated as one giant Petri dish in some public health agricultural experiment. At least until it is sure this practice

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