



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF THE DIRECTOR
235 Promenade Street, Room 425
Providence, Rhode Island 02908

March 20, 2025

The Honorable David A. Bennett
Chairman
House Committee on Environment and Natural Resources
82 Smith Street
Providence, Rhode Island 02903

RE: H 5844 An Act Relating to Waters and Navigation – Water Pollution

Dear Chairman Bennett,

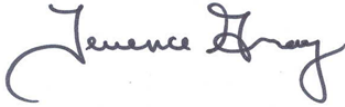
Thank you for providing the Department of Environmental Management (DEM) the opportunity to comment on H 5844, which would institute biosolids testing requirements for PFAS. DEM supports this legislation.

Although land application is not one of the primary disposal methods for biosolids generated at Rhode Island wastewater treatment facilities, Rhode Island has approved the land application of fertilizers made from biosolids. Because biosolids are nutrient rich, they are a useful fertilizer that some farmers choose to use for agricultural purposes. Although the beneficial reuse of biosolids is generally a good thing, there is a possibility that they are contaminated with PFAS that entered the wastewater collection system from outside sources. The first step in determining if the PFAS levels in these products are a concern for potential contamination of farmland or other land is to collect data about the extent and nature of PFAS in these biosolids products. This is especially true because most biosolids land applied in Rhode Island originate from outside the state.

H 5844 would require that anyone applying to DEM for an order of approval to distribute or land apply biosolids in Rhode Island first conduct testing for PFAS. It would also require that any operator with an existing approval initiate quarterly testing and submit the first results to DEM no later than December 31, 2025. These requirements would help DEM to better understand the extent and nature of PFAS levels in biosolids. Furthermore, it provides DEM with clear legal authority to reject an application seeking an order of approval if a determination is made by DEM that providing approval would pose an environmental threat or pose a risk to public health, safety, or welfare. This provision would help to protect against Rhode Island becoming a dumping ground for biosolids from other states.

We appreciate the opportunity to offer comments on this legislation and would be pleased to make ourselves available as needed. Please feel free to contact Susan Forcier, DEM Deputy Director for Environmental Protection, at susan.forcier@dem.ri.gov should you have any additional questions or wish to discuss this matter further.

Sincerely,

A handwritten signature in dark ink, appearing to read "Terrence Gray". The signature is fluid and cursive, with the first name "Terrence" being more prominent than the last name "Gray".

Terrence Gray, P.E.
Director

cc: Members of the House Committee on Environment and Natural Resources
The Honorable Terri Cortvriend
Nicole McCarty, Esq., Chief Legal Counsel to the Speaker of the House
Lynne Urbani, House Policy Director