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To: [Sen. Britto, Robert](#); [Sen. Sosnowski, V. Susan](#); [Sen. Bell, Samuel W.](#); [Sen. Famiglietti, Stefano V.](#); [Sen. Gallo, Hanna M.](#); [Sen. Gu, Victoria](#); [Sen. Kallman, Meghan E.](#); [Sen. Mack, Tiara T.](#); [Sen. Morgan, Elaine J.](#); [Sen. Pearson, Ryan W.](#); [Sen. Tikoian, David P.](#); [SLegislation](#); [Sen. Lawson, Valarie J.](#); [Sen. Ciccone III, Frank A.](#); [Sen. de la Cruz, Jessica](#)
Cc: [Rep. Casimiro, Julie A.](#); [Rep. Craven, Robert E.](#); [Sen. Valverde, Bridget G.](#); [Sen. DiMario, Alana](#)
Subject: Support for S3225
Date: Monday, May 4, 2026 6:46:22 PM

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Dear Committee Members and Senate Leadership,

I'm a North Kingstown resident writing in support of S3225 and to ask you to move it out of committee and to the floor this session.

A commission to study sludge management in Rhode Island is a reasonable step, but only if it is structured to produce real protections, not to absorb public attention while the underlying problem persists. I'd like to make two specific asks regarding how this commission is structured.

First, the commission's mandate should include recommendations on common-sense zoning and setback requirements for sludge processing and similar industrial facilities statewide -- specifically minimum distances from schools, residential neighborhoods, and critical water sources including sole-source aquifers. The QSS Biosolids air permit authorizes emissions from stacks 180 feet from the property line, in a community with schools and homes nearby, atop North Kingstown's sole-source drinking water aquifer. No commission finding is required to know that is too close. Setback and zoning protections should apply across Rhode Island, not just at Quonset. The commission should also address how emissions are evaluated, as setbacks alone are not sufficient. Mercury, as a bioaccumulator, does not care about property lines -- it deposits into soils and groundwater wherever it falls, with downstream impacts on the watershed that the current compliance framework does not adequately measure.

Second, the commission's membership should include environmental and public health stakeholders -- organizations like Save The Bay, Audubon Society of Rhode Island, or the Conservation Law Foundation, as well as representatives of communities likely to be directly impacted by sludge facility siting decisions. A commission composed only of industry representatives, regulators, and legislators will not have the credibility it needs with the public. The residents who filled the North Kingstown Town Council meetings on March 30th and April 27th need to see their concerns represented at the table, not just received as testimony.

The underlying facts that make this commission necessary have not changed. DEM's permit for the QSS Biosolids facility authorizes 83 pounds of mercury emissions per year. Mercury is a neurotoxin -- CDC and EPA are clear that there is no safe level of exposure for children. It defies common sense to site a project with such an emissions profile next to schools, neighborhoods, atop an aquifer, and near Narragansett Bay. I find it similarly shocking that DEM did not press for more stringent controls, such as requiring activated carbon injection to mitigate mercury emissions, and believe DEM failed to act in the public interest by taking QSS Biosolids' math at face value when determining that the technology was too expensive to implement. Per DEM's air permit, the capital cost for activated carbon technology is \$4.7 million against a \$150 million project budget -- 3%. I have never seen an infrastructure project

that did not have a comparable or greater overage. The annualized cost of the activated carbon technology (capital expenditure plus operating expenses) is represented at \$12.50 per ton of sludge, but even this is misleadingly high, as the costs are annualized over a 10 year term, when EPA amortizes such capital costs over a 20 year term and the useful life of such a plant is closer to 30 years.

Mercury is one of 25 toxic air contaminants in this permit that exceed the state's own modeling thresholds -- including benzene, hydrogen cyanide, hydrogen fluoride, and dioxins. The permit was issued as a "minor source" based on an EPA determination that pyrolysis is not technically incineration under existing federal definitions. If true, that is a regulatory gap, not a safety finding. It may be true that the project adhered to the rules and the regulations as currently written, but being technically correct should not allow a project to emit these sort of toxins, and certainly not at the volumes we are discussing.

If the rules and regulations as currently applied would result in communities being exposed to unacceptable health and environmental risks, those rules and regulations should be changed. This commission should be the vehicle for changing them -- with the right mandate, the right membership, and the right sense of urgency.

Please move S3225 to the floor.

Thank you,
John Whelan
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