

**RECORD OF THE PROCEEDINGS  
SKAGIT COUNTY BOARD OF COMMISSIONERS**

**Wednesday, August 8, 1990**

7:00 p.m. - 9:00 p.m. Public Hearing - Application of Sewage Sludge.  
(Birdsview Grange)

The Skagit County Board of Commissioners met in regular session on Wednesday, August 8, 1990, with Commissioners Ruth Wylie, Dave Rohrer, and W. W. Vaux present.

**PUBLIC HEARING - APPLICATION OF SEWAGE SLUDGE.**

Chairman Wylie opened the meeting. She announced that the Commissioners' Office has received a number of complaints regarding a flyer announcing the public hearing that was distributed at a local funeral. She announced that the flyer was not produced, distributed or sanctioned by the Commissioners' Office. She called for the reading of the Notice of Public Hearing, which was accomplished by Commissioner Vaux.

Chairman Wylie then asked Ken Willis, Environmental Health Specialist, to give opening remarks.

Mr. Willis introduced Dick Hethrington, who is from the Environmental Protection Agency's Region 10 Headquarters in Seattle. Mr. Hethrington was attending because the EPA is interested in receiving information from the public on sludge. He has deposited information on sludge at the Sedro Woolley Library, and encourages residents to utilize it.

Mr. Willis explained that the County's role in sludge application on forestry and agriculture land for the purpose of crop fertilization is that of a regulator. The County evaluates sites that are proposed by sludge applicators and issues permits based on the results of the evaluations. Mr. Willis stated that sludge has been applied to soil in Skagit County for many, many years. Its application is an attempt to recycle sludge to its best use. It is used as a soil amender and fertilizer.

Mr. Willis stated that the County is in the process of amending the Skagit County Code with regard to sludge. Regulating legislation has been in effect since 1983, but with the recent concern, it was felt that the Code should be updated. New regulations are expected to be completed in 1991, with the help of an advisory committee.

Mr. Willis stated that two options currently exist for treating sewage sludge to increase its safety for use on crops. One method is to use waste heat from an incinerator to pasteurize the sludge. Mr. Willis stated that he has studied this option for a number of years, and has just discovered that waste heat does exist that could be used for this purpose. A second method of treating sludge is by composting it to make it more safe for crop application.

Finally, Mr. Willis stated that the Solganics Corporation has withdrawn their application to apply sludge to a forest land site owned by the Crown Pacific Corporation. They have decided to withdraw at least until such time as new regulations have been formed.

Chairman Wylie then opened the floor for public comment.

Louie Parker, 101 Prevedell Road, Lyman, stated that he runs the water system for the Town of Lyman. About 14 to 16 years ago, he stated, the Town used Jones Creek for their main water source. Chemical spraying and misuse by the Scott Paper Company on their land caused the deterioration of this system. From 1977 through 1980 a new water system was developed, which has since had a good history. Mr. Parker was worried that sludge application could jeopardize the Town's water system and have long term effects on the area wildlife.

## RECORD OF THE PROCEEDINGS

Wednesday, August 8, 1990

Page #2

Homer Wyatt, Box 427, Hamilton, was opposed to sludge application. He complained of the smell and possibility of contamination of the high water table. He complained that the Board should personally draft new regulations, not a committee.

Keith Holbrook, 3696 Cape Horn Road, Hamilton, had concerns for the wildlife which might ingest toxic materials, PCB's, cadmium and lead contained in sludge.

Lois Holbrook, 3696 Cape Horn Road, Hamilton, stated that she has had sludge spread within 75 feet of her property each day starting at 6:00 a.m. and lasting until 9:00 p.m. She complained that the smell is unbearable, as are the flies that are attracted by the sludge. She stated that she experiences nausea from the smell.

Harry Tavener, 417 W. Main Street, Centralia, representing Solganics, offered his services as a resource. He provided leaflets from the University of Washington on sludge, and invited the public to visit an application site.

Ted Anderson stated that many people still use an open water system that was previously owned by the Scott Paper Company and later sold to the residents. Sludge application may contaminate this. He stated that the "north slope" is an area of heavy recreational use. It should not be considered for application. He stated that Mr. Willis has not had enough staff to adequately monitor sludge application sites, although he was glad that Mr. Willis has offered to notify neighbors when sludge will be spread on adjoining property. Mr. Anderson stated that, even were sludge safe, the area residents are put off simply by knowing that sewage sludge is being spread nearby.

Les Hilde, who stated that he was also representing Ted Breckenridge as a representative of the Skagit County chapter of the Back Country Horsemen, was concerned that sludge would be spread on horse trail areas and multiple use areas. He was also concerned about the effects on open water systems, edible mushrooms, berry pickers, bee keepers and hunters. He stated that at the club's last meeting they voted to oppose sludge application.

Commissioner Vaux requested a copy of the minutes of the last meeting, which Mr. Hilde offered to provide.

William Blunt indicated that his major concerns include the use of untested sludge that has been applied. He stated that not all necessary tests, such as pH testing, are performed on the sludge. He felt that a better site evaluation should also be performed. He felt that if it can be proved that there are no pathogens or metals contained in the sludge following heat pasteurization or composting, that it then might be accepted by the public. He did state, however, that he opposed importation of sludge from outside the County.

Don Bockelman intimated that a petition that had been submitted to the Board requesting a County-wide ban on importation of solid waste was directed toward a ban on importation of sludge. He stated that the petition was not honored. He insinuated that the County held back the Solganics Corporation's sludge importation proposal until after the recent legislation was passed regarding solid waste importation. He implied that the Board of Commissioners is to blame for not allowing a "County-wide advisory ballot". Mr. Bockelman claimed that the issue is a "County vs. City battle", and stated that he will call for a modern facility to sterilize sludge and compost agricultural wastes.

Judy Waggoner had concerns regarding the smell, attraction of flies, and jeopardy of recreational areas. She provided the phone number (766-8403) of Susan Cook, a toxic analyst, who will provide an analysis of private water samples for \$75.00.

**RECORD OF THE PROCEEDINGS**

**Wednesday, August 8, 1990**

**Page #3**

Patricia Parent was also opposed to sludge application. She stated that she read in recent studies where viruses and pathogens are still present in sludge even after treatment.

Bob Parent felt that not enough studies have been done regarding the application of sludge. He stated that a study performed in Melbourne, Australia, indicates that pathogens are not killed after secondary sludge treatment. He was very concerned about damage to the environment, including the accumulation of metals in soil and the disturbance of soil pH.

William Joy stated that he read an article in the Skagit Valley Herald regarding the sludge advisory committee. He noted that the EPA is not a voting member on the committee; however, Solganics is. He objected to this, stating that Solganics is not a Skagit County industry.

Mr. Willis indicated that the inclusion of Solganics as a voting member was in an attempt to put a group with sludge application experience on the committee, and that Solganics is the major sludge applicator in Skagit county.

Mr. Joy countered by questioning why the EPA is not allowed to vote.

Mr. Willis answered that the EPA is acting as a consultant, along with a number of other technical advisors. He stated that, as with other committees with which he has been acquainted, the sludge advisory committee will act on a consensus basis, rather than on individual votes.

Nancy Joy stated that at a sludge meeting held last month a woman from Bellingham spoke. This woman indicated that the pH of the soil in this area of Skagit County is incompatible for application of sludge. She also objected to the fact that neighbors were not notified when sludge was to be applied nearby, that no wells or nearby water sources were tested, and that the sludge itself was not tested. She also pointed out that an article in the Skagit Valley Herald indicated that keys were given to local septic tank services for a waste water facility near Burlington, the result of which was a finding of toxic waste contamination within the waste water in the facility.

Jim Biernik and Walt Looney were both opposed to sludge application.

Mrs. Mullen stated that she has heard that sludge research is being conducted on Whidbey Island by Western Washington University in conjunction with a Soviet scientist. This proves, she stated, that not all factors are known about sludge. She also had heard that there were problems with metal build up in soil because of sludge application at sites in California.

Linda LaCounte, Carpenter Road, Lyman, stated that five families in the Carpenter Road area are using the creek there for a water source. They have no funds to drill for wells, and the site is not amenable to well drilling. She was afraid that sludge application would contaminate her water source.

Nellie Georgia asked if tests of farm animals pastured on sludge application sites have been performed.

Mr. Willis asked Mr. Hethrington to respond. Mr. Hethrington stated that in the 1970's a great deal of research was done on sludge. He stated that anything that is put onto the soil gets into plant and animal tissue in some concentration. The more that is consumed, the higher the concentration will be.

Jeri Abons had questions regarding the restriction of sludge application.

Mr. Willis responded, stating that there is an 18 month period after sludge application before a food crop

**RECORD OF THE PROCEEDINGS**

**Wednesday, August 8, 1990**

**Page #4**

can be grown on the site. He stated that the County Health Department is the enforcement agency for DOE regulations regarding sludge. He indicated that, if the public believes there is a problem with the Health Department's enforcement, they are encouraged to contact the DOE or EPA.

Lieutenant Waggoner of the U.S. Navy stated his opposition to sludge application.

Kelly Wynn, water treatment plant operator, explained that when sludge is applied, there are setbacks from water, homes, wells, etc. He stated that when sludge is composted or pasteurized, it still must be spread on land. If sludge is incinerated, the toxic ash still must be disposed of. He stated that everyone who has a septic tank contributes to the sludge supply. He felt that regulations that address safe sludge disposal are the answer to the problem.

John Franz, an operator at the Anacortes waste water treatment plant, noted that sludge must go somewhere. Burning the sludge is worse than land application. Discharge into water is also bad. He asked Mr. Hethrington to speak regarding the pathogen and metal content in treatment plant sludge.

Mr. Hethrington stated that raw sewage is treated at sewage treatment plants, where the water is removed and discharged into local bodies of water. There are five objectives in the treatment of the remaining material. Two of those objectives are stabilizing and minimizing odor and treating disease-causing organisms. Mr. Hethrington stated that many organisms are killed, but some are still left. He stated that the only reason sludge application is allowed is because if application is done correctly, research tells us that it does not move off of the site. To verify this fact, the EPA searched the U.S. and the world for sludge information.

Norma Brooks wondered why the County would even consider issuing sludge application permits when so many are opposed to it.

Spencer Bryson made the comment, "how much does it cost to turn the upriver area into a toilet?"

Lou Ankney, although opposed, felt that people should not lose sight of the fact that everyone produces sewage sludge. He defended the Board's attempts to mediate the matter, and encouraged the public to put away their hostilities.

Louie Parker wondered why no Environmental Impact Statement is required for sludge application. He felt that taxpayers should not have to pay for testing other entities' sludge. He pointed out that dangerous chemicals are sometimes disposed of in sewers by the public.

Ted Anderson questioned whether one county can restrict another from disposal of their sludge on private land within the county.

Mr. Hethrington stated that a legal authority present at the last meeting implied that this was so.

Mr. Anderson wondered if there were any rules for pH testing.

Mr. Hethrington replied that there are no rules, but the EPA guidelines suggest it.

Mr. Willis stated that the acceptance of out-of-county waste was addressed by the Skagit County Prosecutor when waste importation legislation was adopted by the Board. The Prosecutor indicated that imported wastes can be banned from any County-owned site, but that to prohibit them from private sites is unconstitutional in the eyes of the courts.

**RECORD OF THE PROCEEDINGS**  
**Wednesday, August 8, 1990**  
**Page #5**

William Blunt and Odell Guffy had water supply concerns also, and Mr. Blunt had questions regarding the noxious smell experienced by neighbors of sludge application sites.

Mr. Willis stated that properly treated sludge has a musty odor that is not excessive. The area cited by Mr. Blunt, as well as a number of members of the audience, was visited and found to have an excessive smell by Health Department officials. It is believed that the sludge was applied too thickly, and that it may have contained in excess of 10% solids.

Commissioner Vaux asked what remedy exists for improperly applied sludge.

Mr. Willis stated that in the case in question, the sludge dried out rapidly and the odor evaporated, but that had it not, the Health Department could have required that it be disked in. Mr. Willis stated that if there is strong sentiment that corrective and punitive action be a part of the enforcement process, that could be added to the Code.

Mrs. Holbrook stated that three weeks after the last sludge application the strong odor was still present.

Barbara Hawkings asked that the public hearing be closed so that the audience could ask questions.

Jim Davis stated that he wanted no one trespassing on his land, which evidently was a sludge application site.

Paul Vance encouraged adequate funding and personnel for the Health Department.

Patricia Parent stated that the Washington Toxic Coalition says that 12 cities are presently fighting this same issue.

At 8:38 p.m. Chairman Wylie closed the public hearing.

A 15 minute question period was allowed. Questions were as follows:

- Q. If water systems are ruined, where will the new water supply come from and who will pay for it.  
A. The University of Washington has done most of the sludge research available and has performed rigorous testing, the focus of which is to keep sludge contamination from local wells. If sludge does not leach out during the extreme testing conditions, it should not during normal application. If there were the slightest chance of well contamination, the practice would not be allowed. The responsibility for payment would be a legal question.
- Q. If sewage treatment plants cannot dispose of sludge in water because it disturbs water, why can it be applied to the land?  
A. Congress has banned sewage disposal in water because of the dangerous practices used in the eastern U.S., including dumping in huge quantities.
- Q. How is sludge applied in the forest?  
A. De-watered material consisting of 10% solids is thrown by a spreader in a 100 foot swath on the edge of established roads. There is a limitation on the amount that can be spread in one year. The area of application would be posted and access restricted.
- Q. Would porous soil make application more dangerous?  
A. Poor soil increases the potential for leaching, especially of nitrates. Nitrogen uptake is the limiting

RECORD OF THE PROCEEDINGS  
Wednesday, August 8, 1990  
Page #6

factor in establishment of site life. Heavy metals are immobile and move only inches from the original application. Each site does, however, have a definite life, which is usually determined by the concentration of heavy metals.

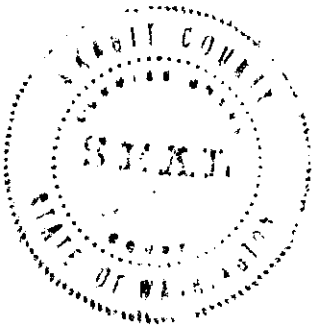
- Q. Has consideration been given to application of sludge on highway median strips?  
A. This is a good suggestion, however, there would still be a problem with public access.
- Q. Was each Skagit County site pH tested before it was approved?  
A. No, but pH testing has since begun.
- Q. Are water samples taken of nearby wells?  
A. Water samples are taken at the discretion of the Health Department.


At this point, Chairman Wylie closed the meeting.

ADJOURNMENT:

Commissioner Vaux motioned to adjourn the proceedings. Commissioner Rohrer seconded the motion. The motion was carried unanimously.

BOARD OF COUNTY COMMISSIONERS  
SKAGIT COUNTY, WASHINGTON

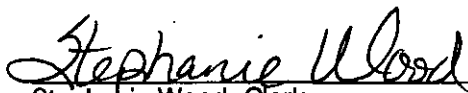


  
Ruth Wylie, Chairman

  
W. W. Vaux, Commissioner

  
Dave Rohrer, Commissioner

ATTEST:

  
Stephanie Wood, Clerk  
Skagit County Board of Commissioners