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July 28, 2003

CERTIFIED MAIL/RETURN RECEIPT

Hon. Robert B. Stroube, M.D., M.P.H.  
Health Commissioner  
Department of Health  
1500 East Main Street  
Richmond, VA 23219

Re: Synagro Mid Atlantic, Inc.  
Operating Permit No. VDHBUR 63

Dear Commissioner Stroube:

Please accept this letter as my written petition to immediately suspend any sludge activity Synagro is planning in Loudoun County. On June 20, 2003, I petitioned the Department of Health to defer or suspend renewal of a Synagro permit because of non-compliance with State requirements. To date, I have not received notice you are investigating this violation. **Synagro has still not complied with the requirement. The Health Department issued the permit in spite of the non-compliance.** While Synagro did submit information on one (of the many) farm, the Loudoun County Health Department has said the information was inadequate and the maps were poor. How can Loudoun County possibly monitor sludge if it cannot figure out where it is to be spread, or the specific details to be executed? It is abundantly clear that our local governments cannot determine if Synagro complied with the applicable laws and regulations because they do not know specifically what should be done! The State only has two people who monitor sites; can they possibly oversee every job? Not likely! How can citizens be assured regulations are followed if there is no one to monitor?

Not only has the right of Loudoun County citizens to review and comment on site plans been denied, but our denial of rights is compounded by the State ignoring and refusing to enforce it's own regulations.

A September 6, 2002 memo from the **EPA Inspector General** to Christine Todd Whitman says in the memo

- (a) **EPA does not know whether current regulations, when adhered to, are protective of public health;**
- (b) EPA does not have an overall understanding of the magnitude and quality of Biosolids production and disposal practices;
- (c) **EPA does not know if the enforcement and compliance resources committed to managing biosolids are adequate to ensure that the regulations are adhered to.**

I submit Virginia too has failed on all three counts. The Virginia Department of Health has failed to manage adequate enforcement and compliance therefore the potential risk to citizens is magnified. Even if adhered to, EPA, therefore Virginia, cannot assure the public health.

Cal Sawyer clearly stated at the July 25th, BOH meeting that no counties had “monitoring and testing” ordinances in place now. No sludge should be spread if the local governments cannot possibly “monitor or test.” This is a regulated industry BECAUSE sludge is potentially harmful. Two peer-reviewed studies by David Lewis link sludge exposure to illness and death. CDC/NIOSH studies say sludge exposure is linked to illness of workers. The **Merck Manual** 16th Edition. R. Berkow, and A. Fletcher, eds. a common physician’s handbook points out the **serious risks of a combined exposure to pathogens and irritant chemicals**, such as with some of the gases associated with sewage sludge: “The more soluble irritant gases cause severe burning and other manifestations of irritation of the eyes, nose, throat, trachea, and bronchi...Bacterial infections, common during the acute phase, are the most serious complications.”

I request an immediate moratorium on all sludge spreading until: 1) VDH/EPA **can** assure citizens sludge exposure is safe for public health, 2) there are adequate regulations that are proven to be protective of public health, 3) there is adequate enforcement of regulations. **None of this exists.** Without these safeguards, the Health Department is jeopardizing the health and safety of Virginia citizens.

I look forward to your immediate action.

Barbara L. Rubin

cc: Governor Mark Warner  
Virginia Board of Health  
Senator William Bolling  
Senator William Mims  
Delegate Joseph May  
Loudoun County Board of Supervisors  
Loudoun County Administrator  
Loudoun County Health Director  
Calmet Sawyer (VDH)  
Desiree Lopasic (VDH)  
George Clark (Synagro)