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Representative Frank Wolf
241 Cannon House Office Building
Washington, DC 20515-4610

Dear Representative Wolf:

I mailed two complaints about violations of the state sewage sludge ordinance committed in Loudoun County in the summer of 2003 to Commissioner Robert B. Stroube, M.D., M.P.H. After the second complaint, I received a letter from the Commissioner that clearly showed his interpretation of the law was convoluted and based on erroneous facts. Virginia has **only one** official to enforce regulations throughout the state. This gross inadequacy in part accounts for Virginia's blind eye towards violations. However, as indicted in the following incident, it is also clear the Virginia Department of Health intentionally does not enforce state sludge regulations.

In the fall of 2003, I inquired of the Loudoun County Health Department about possible violations of the state ordinance due to excessively heavy rain and possible run-off. I enclose a summary of the incident report (marked #1) prepared by the LCHD and provided to me by them. As a result of the violations it found the LCHD prepared a "draft" letter of complaint to Synagro (#2) and submitted it to Cal Sawyer VDH, as required by the current sludge legislation. Cal Sawyer never forwarded the complaint letter. In fact he emailed the LCHD staff member and verbally chastised him by stating that only Mr. Sawyer was authorized to send violation letters. Mr. Sawyer sent a representative to Loudoun County to "rationalize" regulations and "re-define" measurements (in ways clearly unacceptable to standard scientific methods of measurements)

The LCHD then contacted EPA (#3), which also refused to become involved. They contend they do not enforce state ordinances. Although there were many violations (see supporting documents) a "deal" was reached on 12/5/03 that Synagro would merely empty the 3 sinkholes on the involved site (#4). Synagro claimed they did this, yet as late as 1/9/04, correspondence (#5) indicates they did not comply. Eventually only one sinkhole was emptied and the remaining violations (including application to wetland) were not corrected. Calls for well water to be checked near the violation site because of run-off were ignored.

I am inclosing a few supporting documents for this incident. I have all the documents if you should require them. I strongly urge you to do for Virginia citizens what US Senator Reid of Nevada did for his citizens. These quotes are from a 4/02/04, Nevada newspaper *The Pahrump Valley Times*. (Emphasis added) <http://www.pahrumpvalleytimes.com/2004/04/02/news/sludge.html>

"Sludge grudge comes to end

SEN. REID CREDITED WITH STOPPING AMARGOSA VALLEY SHIPMENTS

Reid, a member of the Senate Committee on Environment and Public Works, contacted U.S. Environmental Protection Agency Administrator Mike Leavitt, expressing strong concerns over the application of the municipal sewage sludge...

Nelson said Reid asked the Orange County Sanitation District questions about the safety of the sewage sludge they weren't able to answer satisfactorily..."

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Thank you for consideration.

Barbara L. Rubin

Loudoun NATS (Neighbors Against Toxic Sludge) www.LoudounNATS.org

cc: Senator Warner, Senator Allen, VA State Senator Potts and Mims, Assemblyman. May, NY Times, Wall Street Journal, AP, Washington Post, Washington Times, Richmond Times-Dispatch