

Testimony to Ecology hearing

My name is Morton Alexander. I own land and a home in Mill Canyon down below Garry Rosman's home and acreage. My address is 32621 Mill Canyon Road North, Davenport, WA 99122.

My 2 parcels in Township 26, Range 38 are:

Parcel # 2638020700013 is PT N2SWNE; N2SENE

Parcel # 2638020700016 is PT SENENW; PT SWNWNE MAP 211 .20 RD/A

My home and my organic fruit trees are gravity fed with the water from my spring. The rights to the Turnley Spring on my land are owned by me and my neighbor, Deanne Burdine. Another neighbor has an organic herb business which depends on this water. Many neighbors appreciate being able to collect clean drinking water from this source. One of Garry's parcels listed on the Rosman Site Application is parcel # 2638019700000. It is directly uphill from my spring, and of utmost concern to me.

Many scientific sources, ranging from the Sierra Club to Cornell University, give us cause for great concern about the potential for contamination of our water and soil and even the air from application of sewage sludge on the land above us. Even "very high quality" bio-solids contain heavy metals and millions of pathogens, such as human viruses, bacteria and parasites.

Following a number of illnesses and some deaths linked to contact with applied bio-solids that have occurred, there is consequently now public outcry. Some towns in New Hampshire have banned the practice or severely limited it. There will be legislation introduced in our state to label foods grown in bio-solids. The Commonwealth of Pennsylvania is currently re-evaluating its regulations on the use of sewer sludge.

Dr. Caroline Snyder, Professor Emeritus at the Rochester Institute of Technology, has given testimony to a legislative committee in Pennsylvania. Below, I quote some of her work which will be separately submitted to you in more detail by Darlene Schanfeld of The Sierra Club.

"Land application of sludge is wrought with uncertainties. Experts estimate that sludge generated in industrialized urban centers -- and most land-applied sludge is generated in these areas -- contains not only pathogens and toxic metals, but thousands of anthropogenic chemical compounds for which there are not even basic toxicity data. ... Pathogens are evolving and becoming more virulent.

"Land-applied municipal sewage sludge (bio-solids) is a highly complex and unpredictable mixture of biological and chemical pollutants. Most of the 90,000 man-made chemical compounds in commerce today--with 1,000 new ones added annually--end up in sewage, and many of those, concentrate in the resulting bio-solids. They include carcinogens, mutagens, neurotoxins, endocrine disrupters, solvents, pharmaceuticals, radioactive waste, leachates from landfills and superfund sites, as well

as disease causing and antibiotic resistant pathogens. Upgrading and building improved treatment plants that will remove more pollutants from sewage, will cause sludge to become even more contaminated. Bio-solids generated in our large industrialized urban centers -- and 84% of land applied sludge originates in those centers -- is very likely the most pollutant rich waste mixture of the 21st century.”

Many of my neighbors at Tolstoy Farm are worker/owners in a Community Supported Agriculture business (“Tolstoy Farms“) that successfully markets certified organic produce throughout the region. They are concerned about the increased danger of contamination to their produce and damage to their business reputation by the introduction of these toxins in our area. This is their livelihood, not just some extra income as the case may be for others involved in this dispute. Tolstoy Farms has hundreds of customers in the region who depend on them for a weekly supply of certified organic produce. This case is also being watched by the community of people who are concerned about the health and safety of the Spokane River which is fed by tributary watersheds such as ours.

A few years ago, there was a catastrophic flood of the main creek in our canyon. It flooded fields and homes, and permanently diverted the creek from its long established path. Much debris was brought down to the canyon from fields above. It prompted Creek Restoration Engineer Brian Belsby to identify our canyon as a flood plain, an alluvial fan vulnerable to whatever material is conveyed down from above.

Science is well divided on the safety of this practice of spreading sewage sludge on fields that grow food and nurture wildlife, as well as above springs that feed people and their crops. The state, however, is firmly on one side of this controversy. The Orwellianly named Department of Ecology is dedicated to moving this product of human and industrial waste into the countryside while it minimizes the public health concerns. To this end it engages into contracts with vendors of questionable repute such as Fire Mountain Farms, which in the past had a permit suspended for violations of environmental standards.

As a retired state employee of 20 years of service, I have learned that state agencies become vulnerable to exploitation by the vendors of services that they contract with. The agency becomes wed to a certain model of practice and tainted by that relationship which then supersedes the agency’s regulatory or public service role.

So, who is this vendor who in 2000 was reported by King TV to make around \$400,000 a year spreading sludge? At an “informational meeting” convened by Ecology staff Betty Ann Bickner on Garry Rosman’s farm, a man simply introduced himself to me as “Bob” (no last name). I had to figure out on my own that this guy was the wealthy vendor himself. He acted as though the meeting would just be a lecture provided by himself, while the many neighbors from Mill Canyon would stand around in Garry’s parking lot and listen. I insisted that we sit down for an extended exchange. He swore that his practice is safe. His son complained about “all the paperwork” they have to do. (Looking at the Rosman Site Application, one can see that most of that paperwork is

completed with standard boilerplate). After the meeting, Mr. Thode then gratuitously offended two women present by expressing his belief in an extreme right wing slander about environmentalism, just for good measure. What professionalism. During the meeting, Mr. Thode said that for jobs on the west side of the state he usually will get an assessment done by a hydrologist, but he didn't think it was needed here in the drier part of the state.

My neighbor owning adjacent land in Mill Canyon is Donald Hanson, Design Engineer with the Natural Resources Conservation Service, Washington State NRCS Office, USDA. He is not opposed to the practice of application of bio-solids as a soil amendment, but disputes the plan put forward by Fire Mountain Farms. Based on the NRCS soil survey, he challenges their assessment of the soils atop and in our canyon as to their capacity for an appropriate rate of agronomic absorption. Mr. Hanson is submitting his soil studies in evidence, separately.

The questions raised by Mr. Hanson show that there definitely is a need for an independent professional to review Mr. Thode's work. This need is heightened by Ms. Bickner's comments that this is one of the best possible sites, and that this application's approval will be a test case for our area.

Finally, many people wonder who is really in charge of this process, Fire Mountain Farms or the Department of Ecology? It is hard to tell when a notice for this hearing, supposedly a function of the regulator, is issued by the vendor. This, and the revelation that the taking and testing of soil samples is left to the applicator rather than the regulator, is representative of a trend easily seen throughout the country. - The absence and failure of governmental regulation such as is seen in Flint, Michigan, North Dakota, and too many other sites of industrial pollution of natural resources.

I appreciate Garry's willingness to negotiate. He seems to respect the concerns of people in the canyon about applications too near our watershed area. If there is any hope of responsibility and moderation in this matter, it will probably be up to him rather than the vendor or the regulator.

Questions:

- Why are wells recorded in the first Rosman Site Application, but not springs?
- Why did the first Rosman Site Application include land not owned by Garry, such as Sections 17 and 20? Who did that and why?
- Why does the first Rosman Site Application not include coyotes in its list of wildlife present in the canyon?
- Given the level of distrust by neighbors in Mr. Thode's practice, what provisions will be

made to monitor his work and what are the penalties for un-permitted dumping?