

Oppose H576 – Aerosolization of Leachate

This bill *requires* DEQ to permit a brand new technology for disposal of leachate and wastewater from landfills, and to take the position that it does not constitute a discharge requiring a permit.

A scientist at USEPA responded to our request for comment with several studies showing that landfill leachates and wastewater treatment plant effluents contain large amounts of volatile perfluoroalkyl sulfonic acids (PFAs), and other harmful chemicals. The aeration of these liquid streams drives the volatiles into the air, which then presents an exposure hazard to workers at these plants and citizens downwind. The scientist stated “I wouldn’t want to be anywhere near a leachate aeration basin. The downwind emissions would very likely contain a very wide range of toxic materials.”

Aerosolization blasts leachate through a high velocity fan, turning it into droplets that evaporate or blow away, reducing leachate volumes. Critics worry that the aerosol droplets, containing toxics or bacteria, may threaten neighboring or downwind properties. A larger question is why, if the technology can be operated safely - something that the industry claims, but that has not been demonstrated to any state agency - it needs a special exemption from state permitting laws.

Further, there is no definition of aerosolization and no standards for its use. This bill does not appear to authorize the EMC to adopt any standards to regulate this practice.

Spraying leachate is least damaging in dry climates (less than 20 inches of rain a year with low humidity) and on big landfills – ones that accept over 3 tons a day. NC gets on average between 37 and 55 inches of rain a year and has very high humidity, and the vast majority of landfills in our state are much smaller than those recommended for this practice.

This bill includes both leachate *and* wastewater without a permit. There is almost no wastewater associated with any municipal landfill – leachate and wastewater are not the same thing. This bill language could set a precedent allowing wastewater spraying at other facilities/landfills, such as those accepting coal ash.

There are several solid waste permits in North Carolina that would allow for leachate spraying (aerosolization), including the Brickhaven Structural Fill permit (Brickhaven accepts coal ash). None of these facilities have actually started using the procedure. In those permits, if the spraying ever happens it must only happen in the footprint of the facility.

Questions

- How many gallons will be disposed of in this manner on how many acres?
- Will soil become contaminated if this liquid is not treated?
- What is the potential impact on neighbors and downwind communities of contaminant that volatilize or are carried in small aerosol droplets?
- Why can't this idea be left to the agency/ commission experts to evaluate, since the NCGA does not have this kind of detailed technical expertise?
- Why is wastewater included in this language and not just leachate?
- What would prevent this bill from allowing the aerosolization of wastewater at coal ash disposal sites?

For questions or more information, contact Mary Maclean Asbill at mmasbill@selcnc.org or 919-389-2636 or Brooks Rainey Pearson at bpearson@selcnc.org or 919-923-6215.