



On February 28, 2023, due to concerns of per- and polyfluoroalkyl substances (PFAS) contamination, the Maryland Department of the Environment (MDE) issued a biosolids regulatory update by putting on hold the issuance of new biosolids land application permits and out-of-state biosolids marketing permits. MDE also requested PFAS data from several biosolids sources both in and out of state. MDE allowed the continuation of biosolids land application at existing permitted sites. Since the February 28, 2023, regulatory update, MDE’s Water and Science Administration (WSA) comprehensively sampled the influent, effluent, and sewage sludge at wastewater treatment plants in Maryland. Now that MDE has comprehensive data from in-state and out-of-state biosolids sources, LMA issues the following addendum to the February 28, 2023, biosolids regulatory update:

- All waste water treatment plants (WWTPs), where land applied biosolids originate, are required to sample for PFAS analytes of PFOS and PFOA in its biosolids prior to land application. Under the authority in 26.04.06.06C and 26.04.06.40A(7), LMA will require PFAS sampling of PFOS and PFOA at these frequencies starting January 1, 2025.

Amount of Sewage Sludge Generated (per 365 day period - dry weight basis)	Testing Frequency
Greater than zero but less than 290 metric tons	Once every year
Equal to or greater than 290 but less than 1,500 metric tons.	Four times every year)
Equal to or greater than 1,500 but less than 15,000 metric tons.	6 times every year
Equal to or greater than 15,000 metric tons.	Once every month

- If the level of PFOS or PFOA is 100 µg/kg or above, land application of the biosolids is recommended to be stopped.
- If PFOS or PFOA is at or above 50 µg/kg, but less than 100 µg/kg, the recommended application rate for land application of biosolids must be lowered to 1.5 dry tons per acre or less.
- If PFOS or PFOA is at or above 20 µg/kg, but less than 50 µg/kg, the recommended application rate for land application of biosolids must be lowered to 3 dry tons per acre or less.
- Biosolids with a PFOS concentration below 20 µg/kg and a PFOA concentration below 20 µg/kg may be land applied with no additional requirements after submission of results.

On May 9, 2024, HB 1153/ SB 956 was signed into law. MDE intends to implement its biosolids guidance with the same time frames established in this law. The law requires the Department to:

- by October 1, 2024, to identify significant industrial users that currently and intentionally use PFAS chemicals;
- by January 1, 2025, to develop PFAS monitoring and testing protocols for significant industrial users.

- by June 1, 2025, to develop PFAS action levels for addressing PFAS contamination from industrial discharge for pretreatment permits;
- by September 1, 2025, develop mitigation plans for addressing PFAS;
- by July 1, 2026, implement measures to reduce PFAS discharge levels to WWTPs.