



THE UNITED STATES CONFERENCE OF MAYORS

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June 10, 2002

Mr. James Hanlon
Director, Office of Wastewater
U.S. Environmental Protection Agency
1200 Pennsylvania Ave, NW
Room 7116 ICC
Washington, DC 20460

Dear Mr. Hanlon:

On behalf of the Urban Water Council we thank you for joining us at the Miami Urban Water Summit. Local elected officials find it important to sustain government-to-government dialogues with all federal agencies administering assistance and regulatory programs concerning water resources. It is our belief that working together we can achieve the water quality and supply objectives necessary to sustain our communities. Working together during this recovery from a fatal national security breach is necessary to ensure against a future security threat to our nation's water supplies.

Of particular note, we are grateful to the U.S. Environmental Protection Agency's Office of Water for providing valuable information on water infrastructure investment needs in the nation. The Urban Water Council supports increased infrastructure investment, and we note that federal tax policies and environmental regulation mandates can be better coordinated to provide local government with more tools for financing costly capital/compliance projects. We recognize and are grateful to the Agency for supporting public policy that urges recipients of federal financial assistance for public water projects to consider public-private partnership approaches. As you know, we are seeking liberalization of the tax code to allow private activity bonds used for water and sewer projects to be exempt from the state volume caps. The two policy changes (voluntary choice of partnership approaches and access to financing through private activity bonds) can have a substantial positive impact on water quality and usable supply.

We would also like to point out one issue raised at the Miami meeting that remains a serious concern to the Urban Water Council. We are referring to the pending Part 503 biosolids proposed rule. What we have learned is that your Office is proposing to further regulate the biosolids that we have successfully kept out of the oceans and recycle in ever-greater proportions each year. Indeed, biosolids recycling is one of the few successful forms of recycling in this nation that does not require significant government subsidies.

We fail to see the wisdom in further regulating this activity if the risks, according to EPA's own assessments, are so low and remote. For example, one risk assessment conducted by the Agency concludes that there might be one additional cancer case in a thousand years from biosolids recycling. Another risk assessment reported by the Agency

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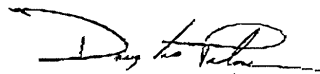
concludes that there would be 1.1 additional cancer deaths in 70 years, if the reference population were exposed to unrealistically high levels in their food, water and air intake. At a time when we are struggling to find investment capital to refurbish and build a basic water quality infrastructure, and at a time when we feel compelled to invest in water system security, the nation's cities should not be required to invest scarce funds on low and remote risks.

It has become common information that recent successes of the 1990 Clean Air Act Amendments has resulted in a dramatic decline in dioxin air emissions. The preponderance of dioxins in biosolids is related to run-off from surfaces exposed to air pollution. Two recent major surveys indicate that the levels of dioxins in biosolids have also decreased substantially. The presence of a single biosolid sample that yielded a relatively high dioxin concentration does not provide adequate evidence of impact on human health and the environment.

Additionally, we understand that similarly low risks led EPA to choose not to further regulate biosolids that are surface disposed or incinerated. We urge EPA to consider a similar approach with biosolids land application.

Please feel free to contact us, or the Urban Water Council, to discuss these matters at your convenience.

Sincerely yours,



Douglas H. Palmer
Mayor, City of Trenton, NJ



Bob Young
Mayor, City of Augusta, GA

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