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June 30, 2008

Maurice Barker, Residuals Coordinator  
Domestic Waste Water Section  
Florida Department of Environmental Protection  
2600 Blair Stone Road, MS #3540  
Tallahassee, FL 32399-2400

Dear Mr. Barker:

These comments concern the Florida Department of Environmental Protection's (DEP) rulemaking on the biosolids/residuals rule, Chapter 62-640, F.A.C. Audubon commends DEP for continuing to update these rules to meet the ever-changing conditions and needs of Florida. Our primary concern is protecting Florida's water quality from possible impacts from biosolids disposal.

Audubon strongly supports the requirement that, "Land application of biosolids shall not result in a violation of Florida water quality standards." We also support meeting water quality standards for both nitrogen and phosphorus. However, there is an apparent mismatch that the phosphorus application guidance is to, "Base application rates on the phosphorus needs of the crop." Phosphorus application under this directive might meet the needs of the crop, but has absolutely no relation to meeting water quality goals. DEP should revise this section to ensure phosphorus application rates are matched directly to meeting water quality goals.

Toward meeting water quality goals for phosphorus, Audubon recommends that application sites be required to balance their phosphorus budgets. We concur that applying phosphorus and nitrogen through biosolids application is preferable to applying similar amounts in chemical form, hence do not rule out biosolids application. However, Florida's past phosphorus application recommendations based on crop needs ("agronomic rates"), and the idea that excess phosphorus would be "assimilated," have led to phosphorus saturation of entire watersheds that only became apparent after saturation was very advanced. The result has been extremely long-term remedial problems that are costing tax payers billions of dollars. In a somewhat related vein, it seems that treating nutrient application in Class AA solids differently than Class A or B, also could deviate from meeting water quality standards and we recommend that any type of biosolids should meet the phosphorus balance objective.

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In summary, biosolids application can be a constructive part of farm management when conducted in ways that meet water quality goals. Audubon recommends basing application rates on attaining an on-farm nutrient balance and rejects methods that would allow on-going nutrient loading to properties. Florida's experience shows that the environmental degradation and clean-up costs of the latter approach are not acceptable.

Thank you for the opportunity to comment on the rule revisions.

Sincerely,

Paul N. Gray, Ph.D., Science Coordinator  
Lake Okeechobee Watershed Program