

Town of Thurston
7578 County Route 333
Campbell, New York 14821

August 25, 2023

BY ELECTRONIC MAIL

Commissioner Richard A. Ball
NYS Department of Agriculture and Markets
10B Airline Drive
Albany, New York 12205
commissioner@agriculture.ny.gov

Proposed Thurston Local Law to Ban Sewage Sludge Spreading in the Town

Dear Commissioner Ball:

I am writing in response to the letter sent to you on August 23rd by Mary Rayeski, a Casella manager. The letter accurately states that the Town of Thurston is considering a local law to ban the spreading of sewage sludge in our town. Ms. Rayeski's letter is attached as Exhibit A. The proposed law mentioned in her letter and the references supporting the legislative findings in the proposed law are attached as Exhibits B and C.

We are considering adopting a ban on sewage sludge spreading to protect the health and safety of town residents. The town wishes to establish stricter standards than the standards established by the New York State Department of Environmental Conservation (DEC) because we do not believe that the DEC standards are sufficient to protect the town residents and the environment from the harms caused by sewage sludge spreading.

The residents of our town have experienced many years of sewage sludge spreading and are eager for the town to enact a ban. Recent disclosures about the ubiquitous presence of per- and polyfluoroalkyl substances (PFAS) in sewage sludge have heightened local concerns. These concerns appear to be supported by recent tests of private drinking water wells near the sludge spreading operations which show total PFAS of up to 18.1 ppt.

Casella has informed us that they have conducted PFAS testing of the soils in the Dickson fields, but they have not provided any PFAS test results to us. We have requested PFAS test results from DEC for some of the wastewater treatment plants sending sludge to Dicksons, but DEC has not provided any treatment plant PFAS test results to us.

Our ban is not intended to be violative of the Right to Farm Law. As we understand it, the Right to Farm Law does not apply in situations involving public health and safety as sewage sludge spreading does.

We have scheduled a hearing on the proposed law for this Monday, August 28th at 6:00 pm at the Thurston Town Hall, 7578 County Route 333, Campbell, New York 14821. We would welcome the participation of representatives of the Department of Agriculture & Markets at the hearing.

Please contact me if you have any questions about our proposed law or the upcoming hearing.

Very truly yours,



Michael Volino

Supervisor
Town of Thurston

Exhibit A – Rayeski Letter dated August 23, 2023

Exhibit B – Proposed Thurston Local Law #3 of 2023

Exhibit C – References in support of legislative findings in Proposed Thurston Local Law #3

Cc:

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