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Richmond News, Crime & Politics

The Virginia DEQ failed to provide notification to local counties about industrial sludge

Agency reopening public comment period

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Posted: Tuesday, September 9, 2014 10:30 pm

BY CINDY HUANG Richmond Times-Dispatch



ALEXA WELCH EDLUND/TIMES-DISPATCH

Industrial sludge comes from lagoons at industrial operations such as the Smithfield Foods plant in Isle of Wight County.

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The Virginia Department of Environmental Quality said it failed to notify the public in a timely, accurate and consistent manner about a company's application to apply a waste called industrial sludge in several counties.

A Baltimore-based company, Synagro Technologies, applied for a permit to spread industrial sludge on 16,000 acres of farm fields in seven Virginia counties last fall. The sludge is waste that is treated at a processing facility, such as a food-processing or paper-processing facility.

The DEQ's failure to properly notify the public came to light Aug. 27 at a Hanover County Board of Supervisors meeting. At the meeting, several residents said they

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didn't know about the plan until they read an Aug. 4 story in the Richmond Times-Dispatch.

Also on that day, landowners in Hanover withdrew an application that would have allowed sludge to be spread on their property, so Hanover is no longer part of the Synagro application.

DEQ spokesman Bill Hayden said the department did not follow the requirement

to send out letters to the seven affected localities, as it should have after receiving Synagro's application.

The DEQ also is required to publish public notifications in local newspapers in affected counties before it holds a public comment period on such a matter. Hayden said that the DEQ failed to mention four of the seven affected counties in a "project description" section in its public notifications in newspapers.

The department did, however, mention all seven counties in a "purpose of notice" section in its notifications.

The project description section mentioned the counties of King and Queen, King William and New Kent, but omitted the counties of Hanover, Goochland, Prince George and Surry.

At the Aug. 27 Hanover supervisors meeting, residents questioned the DEQ and Hanover officials about the timeliness of their public notifications.

"We never heard of it until we heard about it in the paper," Hanover resident Dale Taylor said at the meeting, referring to The Times-Dispatch.

Hanover County Administrator Cecil "Rhu" Harris Jr. said Tuesday that he did not know Hanover was among the counties affected by the application until this summer.

After the Aug. 27 meeting, Harris sent an email to the Board of Supervisors explaining that he received notification in December about the Synagro application, but that Hanover was not included among the counties listed for the sludge application.

Hayden said the agency is reopening the public comment period, which had been closed since the end of January. "It was a step that we missed, and we want to amend the situation the best way we can," Hayden said.

Synagro spokeswoman Lorrie Loder said that Synagro supports the DEQ in wanting to ensure that the public is informed about industrial sludge.

Hayden said the State Water Control Board, which will decide whether to approve Synagro's application, is tentatively pushing back its discussion of the issue until December.

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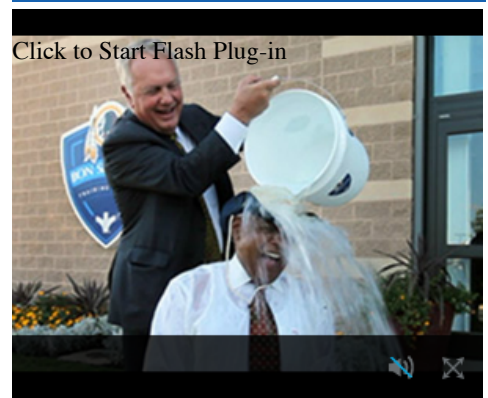
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He added said that letters of opposition to the Synagro application were sent this summer to the State Water Control Board by King and Queen, New Kent, King William and Goochland. He said those letters will be taken under consideration.

Taylor said the mistakes by the DEQ raise questions about the department's effectiveness. "It goes to the heart of how effective the DEQ was in following its procedures," Taylor said. "The permitting process is flawed."

Tyla Matteson, a Chesterfield County resident who opposes the use of sludge, also said that the DEQ's notifications were placed in newspapers during the Christmas and New Year's holiday season, a time when Matteson said a lot of people aren't paying attention to news.

Matteson said she's concerned that the State Water Control Board might be trying to "bury" the issue by taking it up in December, when many people will be on vacation.

Hayden said that residents who already have submitted comments about Synagro's application to the DEQ do not need to submit them again.

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RTD political reporter and columnist, Schapiro has covered Virginia elections and the state Capitol for 30 years. He warns, however, not to read or watch his commentary on a

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