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January 27, 2016

To all Town residents:

Over the past few months, the Board of Selectmen's Office, the Board of Health and the Conservation Commission have received numerous complaints in reference to the odor caused by sludge being used by farmers in Town. This Release is meant to adequately inform all residents about the issue and the proper steps the Town will be taking going forward.

As background, farmer(s) in Town are accessing sludge as a form of fertilizer for their farms. Sludge is regulated by the Massachusetts Department of Environmental Protection (MA DEP) and the use of it as it pertains to farming is regulated by the Massachusetts Department of Agricultural Resources (MDAR).

The sludge originates as solids from residential septic systems and grease traps from commercial kitchens. These materials are transported to a facility in Raynham and processed by Earth Source Inc. utilizing a heavy dose of lime. This process is regulated by MA DEP and Earth Source has a valid State permit to perform this function.

Earth Source is required by law to dispose of the material and does so by distributing it to local farmers. It is the lime in the processed material that is most important to farmers; the rest of the solids decompose into the soils providing natural fertilizer. In theory, this process is a "win – win" for everyone. Residents and commercial establishments are able to dispose of their unwanted waste, Earth Source profits from removing the waste, and farmers access the required lime for their farms reducing their input costs. However, a byproduct of this process is an odor that many find offensive.

Many residents have questioned whether the Town can outright ban the use of sludge. After conducting research on this topic, it appears that since it is an allowed use by the State, and Earth Source has a legal permit, farmers are allowed to use it. Yet, there are steps the Town can take to mitigate some of its use.

While a ban of the product is not an option, regulating its use appears to be an alternative. For example, the State requires Earth Source to conduct testing on the sludge; tests the Town currently does not have access to? Do these tests pass?

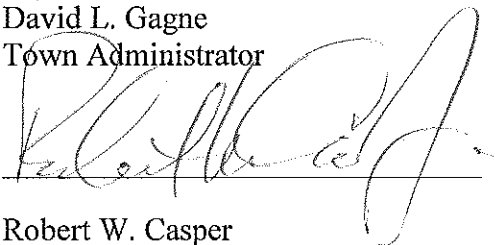
Therefore, the Town, through the Board of Health (BOH) as the regulatory authority, will propose a by-law at the Annual Town Meeting to be held in June. The by-law would pertain to all farmers that utilize sludge as a fertilizer. The by-law will address the following items:

- Prevent sludge from being mixed with food waste, yard clippings or other materials
- Requirement for the distributor and the farmer to provide their respective tests to the BOH
- Require tilling of sludge
- Require any/all permits to be on file
- Define a maximum amount of sludge that can be used
- Define storage requirements
- Impose fees for non-compliance that escalate over time

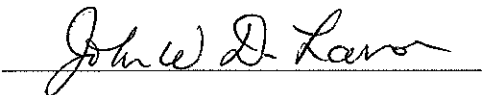
It is assumed with passage of a by-law, farmers would still have access to sludge as a type of fertilizer, thereby minimizing their input costs, while also balancing the concerns of residents.



David L. Gagne  
Town Administrator



Robert W. Casper  
Health Agent



John W. DeLano  
Conservation Agent