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**CARVER
COUNTY**

Project Team's comments to the Minnesota Pollution Control Agency letter regarding Carver County Project UT0101

Included in Appendix F is a letter from Dave Benke, MPCA Director for the Resource Management & Assistance Division, submitted to the project Team on December 22, 2014 and an accompanying evaluation of the Technical Report. The review includes the MPCA's analysis regarding the project results and method limitations, many of which were included in the report.

The Project Team and MPCA are in agreement with many conclusions summarized in the Technical Report. However, the Project Team does disagree with several opinions expressed by the MPCA such as, *"The Report seems to downplay the detection of contaminants in contact water from both Phase 1 and 2 and is somewhat lost in the critique of the liner method."* This remark is problematic as it assumes that data collected was representative and scientifically valid. Given the MPCA's own conclusions and the serious concerns they acknowledged existed with the test methods used to collect the data, the Project Team does not believe that there is a scientific basis for evaluating the causation of detection or concentrations reported. The Project Team applied the principles of the scientific method when drawing conclusions from the test methods used and data collected. Giving unwarranted credence to the flawed data to draw conclusions is unproductive and will only serve to impede progress in future research. It also serves to undermine the credibility of the technical expertise of the Project Team.

The Technical Report documents study limitations including: the inappropriate attempt to compare "sediment filtered water samples" with "un-filtered water samples". The MPCA erred by using this data to make comparisons to Agency standards that are based only on "filtered water sample" protocols. The suggestion that MPCA staff "used" this flawed data to justify an undefined and erroneously "cautious approach" in adopting rules for managing compost contact water is indefensible.

In addition, the MPCA believes that the data collected through the project is not sufficient to conclude water in contact with source separated organics material or early stage compost is "benign". The Project Team contends the term "benign" has no scientific definition.

The word “benign” has neither a regulatory definition nor established “limits” within the MPCA decision making process. There for the MPCA should not use the word “benign” when trying to draw conclusions from the project data and methods. It is also important to note that the MPCA evaluation did not include the MPCA’s other stated position that *“Based on the project limitation it cannot be stated equivocally that compost contact water presents a pronounced risk to human health or the environment.”* We think that this statement should be included in this appendix.

The Project Team had no pre-conceived conclusions about data outcomes. However, as the research project continued, and significant concerns with methods and data were realized, the Team was compelled to communicate these findings to the MPCA. In addition, the Team pointed out that the findings of this study could not meaningfully or scientifically be compared to contact water generated at actual operating source separated organics compost facilities.

If you have any questions or comments regarding this report please contact:

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