



NEW YORK STATE SENATOR

Pete Harckham

Legislators, Advocates and Farmers Call for Ban of Toxic Sewage Sludge on Farmland

PETE HARCKHAM May 2, 2025

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State Sen. Pete Harckham at the podium during the biosolids press conference

Biosolids frequently contain high concentrations of harmful PFAS “forever chemicals”

Albany, NY – New York State Senator Pete Harckham and Assemblymember Dr. Anna Kelles, along with environmental advocates, a bipartisan group of elected leaders and farmers from across the state, called on Apr. 30 for a ban of toxic sewage sludge (“biosolids”) on farmland.

During a special press conference in the Legislative Office Building's LCA Press Room, the speakers focused on legislation ([S.5759](#) / [A.6192](#)) that Harckham and Kelles introduced that calls for a five-year moratorium on the land application of biosolids, the byproducts of wastewater treatment, on New York farmland and other measures to protect public health. Speakers also called for other urgent actions to safeguard agricultural lands and fragile drinking water supplies from PFAS and other contaminants found in sewage sludge.

To see a video of the Apr. 30 press conference, click [here](#). Wes Gillingham, a farmer and co-founder / associate director of Catskill Mountainkeeper, served as the emcee.

Biosolids, marketed to farmers as a cheaper alternative to fertilizer, frequently contain high concentrations of harmful contaminants, including PFAS “forever chemicals,” pharmaceuticals, heavy metals, and industrial waste. These toxins persist in the environment, leach into water supplies, and contaminate the food chain. Other states, including Maine and Connecticut, have already banned the practice of using biosolids on farmland, and advocates are urging New York to follow suit before irreversible damage is done to farms, families, and communities.

“The time to find a way forward without PFAS is right now because the environmental and public health risks are too enormous to do nothing,” said Sen. Harckham. “Make no mistake: we are facing a real crisis here. PFAS continue to enter our food chain and fragile drinking water sources. New York State already knows the risk of these forever chemicals—they’re banned in food packaging and clothing and use by firefighters. When you also consider the level of PFAS and other toxins found in biosolids, it’s simply appalling to know how much has been spread over our farmlands already.”

Harckham noted that the allowable limit for PFAS in the state’s drinking water is 4 parts per trillion, and yet there is no regulation or allowable limit for the amount of PFAS in biosolids

that are being spread directly on farmlands across our state.

“And that’s how PFAS end up in our fresh vegetables and tap water,” Harckham added. “If we continue to spread PFAS contaminated biosolids on our farmland, the land will become too toxic to use—and the cleanup will cost billions.”

“Biosolids are not the equivalent of compost—they are byproducts from our wastewater treatment facilities that include nutrient-dense organic matter but they also include toxic PFAS forever chemicals, heavy metals like arsenic, lead, and mercury, industrial chemicals like Polychlorinated biphenyls (PCBs), Polycyclic aromatic hydrocarbons (PAHs), dioxins and furans, and volatile organic compounds (VOCs), microplastics, prescription drugs, and emerging contaminants like Benzotriazoles (corrosion inhibitors), Alkylphenols (surfactant breakdown products), and Bisphenol A (BPA),” said Dr. Kelles. “When we spread biosolids on our farmland as a form of soil amendment, it is the equivalent of offering a nutrient-dense protein shake with arsenic to a malnourished child and telling them to disregard the poison because the protein is good for them.”

Added Dr. Kelles, “We have a duty to protect public health, our environment, and our farmers, and until and unless toxic chemicals can be separated and removed from biosolids they are not appropriate or safe for our farmland or our food. This legislation is a necessary step to make sure New York does not become a dumping ground for toxic waste.”

Of the nearly 80,000 man-made chemicals found in industrial discharge and sewage systems, the Environmental Protection Agency has identified 350 pollutants, of which 61 are acknowledged as “acutely hazardous,” “hazardous” or “a priority pollutant.” Moreover, the Marine Protection, Research and Sanctuaries Act (MPRSA) prohibits the dumping of biosolids in oceans because it causes marine dead zones, while Whole Foods, Dole, Heinz, and Del Monte won’t buy crops grown in biosolids.

The impacts of land spreading of biosolids on human health are clear. A 2013 study from the University of North Carolina found that 75% of people living near farms that spread biosolids experienced health issues like burning eyes, nausea, vomiting, boils, and rashes, while others contracted penicillin-resistant MRSA.

Harckham and Kelles's legislation would ban the spreading of biosolids unless they have been treated to make them as safe as drinking water standards in New York, require testing of soils and in groundwater under land where they have been applied, require PFAS testing in wastewater treatment plants and establish a program to assist farmers whose land has been contaminated by biosolids spreading.

Claire Walsh Winsler, Director of Food, Agriculture, and Land Use at Environmental Advocates NY, said, "Our soil, water, and food are not expendable. We need to end sludge spreading to give New Yorkers peace of mind — that our farmland is clean, our water is safe, and our food isn't laced with chemicals banned in other uses."

Corinne Hansch, owner and co-founder of Lovin' Mama Farm, said, "PFAS chemicals — so-called 'forever chemicals' — are finding their way into the soil through a disgusting practice: the spreading of toxic biosolids. Do not be fooled by greenwashing. Biosolids are not fertilizer. They are toxic waste, laced with industrial chemicals, pesticides, plastics, and pharmaceuticals."

Albany County Executive Daniel P. McCoy said, "This is not just an environmental concern, and it's not just a matter of clean water. This is a matter of protecting our farmland. Once a farm becomes a brownfield, there is no going back, and we lose that source of produce forever. That's why I was proud to implement and then extend our own moratorium on biosolid land spreading in Albany County. However, this practice is not just occurring here in the Capital Region, which is why this statewide legislation is so important. This will allow the

state Department of Environmental Conservation and Department of Agriculture and Markets to further study this issue and protect public health, while also supporting our farmers and the economy.”

Assemblymember Steve Otis said, “Thanks to my colleagues Anna Kelles and Pete Harckham for taking the lead on this important legislation to address a current threat to drinking water, farmland, and food safety. We have learned that PFAS and other forever chemicals have become pervasive in the environment. This legislation follows the lead of other states to protect public health and the clean environment we need that is vital to the food we eat and the water we drink.”

Doug LaGrange, Supervisor, Town of New Scotland, said, “As a former dairy farmer, I understand the desire to use biosolids to offset costs, but that was old science. The new science shows us the potential for long term deleterious effects to our air, water and soil.”

David VanLuven, Supervisor, Town of Bethlehem, said, “The Town of Bethlehem recently completed a four-year source water protection plan with the New York State Office of Health. Through that we determined that our source waters for our water supply are very good, but we do not want to jeopardize the quality of that water by introducing PFAS, heavy metals and other contaminants through biosolids being put on farm fields. This is a real threat, and we cannot continue to allow biosolids to be spread on farm fields and just hope for the best.”

Ryan Dunham, an impacted Town of Scotland resident, said, “Shortly after biosolids were spread across the street from my house, my water became contaminated with levels of E. Coli and coliform bacteria that were 200 times higher than EPA standards. Forever chemicals were detected in the local public water supply, and going outside became unbearable due to the smell of rot that lingered for weeks. Placing a moratorium on the spreading of biosolids is

necessary to address the scope of the problem, confront public health concerns, and to recognize quality of life issues.”

Katie Baidon, Policy Manager, Northeast Organic Farming Association, New York, said, “Spreading sewage sludge is not just a pollution problem, it’s a threat to the future of farming in New York, to public health, and to our ability to steward land responsibly. The passage of a moratorium on land application of sewage sludge in New York is critical to curb these threats and protect farmers.”

Caitlin Ferrante, Conservation Program Manager, Sierra Club Atlantic Chapter, said, “The story of biosolids in other northeastern states should serve as a cautionary tale for New York, but instead, the state is encouraging the land application of sewage sludge on farmland to double, despite the dangers. Maine and Connecticut have already banned biosolid use on farmland after widespread PFAS contamination devastated local farms, poisoned wells, and cost millions in cleanup. It’s time for New York to stop treating its farmland as a dumping ground, because our clean soil, safe food, and healthy communities depend on it.”

RELATED LEGISLATION

2025-S5759

-
- Introduced
 - - In Committee Assembly
 - In Committee Senate

- ○ On Floor Calendar Assembly
 - On Floor Calendar Senate

- ○ Passed Assembly
 - Passed Senate

- Delivered to Governor

- Signed By Governor

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Establishes a moratorium on the sale and use of biosolids

February 28, 2025

Assembly Floor Calendar

Sponsored by **Pete Harckham**

Do you support this bill?