**Dredge clean-up debate revolves around Facility 3**

**Sludge storage site’s effect on Lake Erie contested**

By Tom Henry, Blade Staff Writer, Toledo Blade

The Toledo water crisis has reopened a debate about a man-made island called Facility 3.

Located near the Toledo-Oregon border where the Maumee River flows into Lake Erie’s Maumee Bay, Facility 3 was built in the 1970s to hold sediment the U.S. Army Corps of Engineers dredges from the Toledo shipping channel to keep the river and Toledo port open for Great Lakes shipping.

Over the years, though, Facility 3 has morphed into a work site for mixing Toledo contaminated sewage sludge into a soil-like product called NuSoil.

The product’s manufacturer, Toledo’s S&L Fertilizer, creates NuSoil by mixing river dredged material, sewage sludge, and lime sludge from the city’s water-treatment plant.

In theory, finding uses for channel dredgings and sludge is good for the environment. They’re part of a “beneficial reuse” effort promoted by the U.S. Environmental Protection Agency.

But S&L only treats the city’s sludge to meet the waste-management industry’s Class B requirements. A more expensive process to meet Class A requirements — with the highest standards — involves pasteurization, which kills off much more of the bacteria and other pathogens in the sludge.

One of the biggest questions is whether Facility 3 is leaking into Maumee Bay.

Tom Kovacik, a chemist who has served in a multitude of roles over the years — including Toledo public utilities director, president of Envirosafe Services of Ohio Inc., and former Mayor Carty Finkbeiner’s chief operating officer — is one of Facility 3’s most vocal opponents.

But then again, Mr. Kovacik sits on the board of N-Viro International Corp., a Toledo company that lost the contract for disposing of Toledo’s sewage sludge to S&L in 2011 after years of having the rights to most or all of the waste byproduct.

N-Viro produces Class A sludge.

Mr. Kovacik said he has trouble believing the unlined Facility 3 is leak-proof, and is demanding a full-blown site investigation by the Ohio EPA.

Class B sludge, he said, is “full of phosphorus.”

“Facility 3’s been leaking phosphorus for a long time,” Mr. Kovacik asserted during a recent interview. “It was flawed from the get-go. It was never intended to put Class B sludge on it.”

Mr. Kovacik claims Facility 3 has a porous limestone base and is leaking from its bottom into the Maumee Bay, which surrounds it on three sides.

He figures it is responsible for as much as 25 to 40 percent of the phosphorus that has led to an explosive growth in Lake Erie algal blooms.

The problem is that he has no hard evidence.

**Lack of research**

Mr. Kovacik is one of several people stunned by a lack of research projects involving Facility 3.

They consider it a symptom of a bigger problem, one in which they believe Great Lakes scientists have become too entrenched in their familiar comfort zones when seeking research dollars — and too inclined to stick with tried and true funding requests, such as those to study agricultural runoff.

“Facility 3 should have the same scrutiny,” Mr. Kovacik said. “I wouldn’t be surprised if Facility 3 is 25 to 40 percent of the problem.”

The Ohio EPA, in response to a growing chorus of concerns, ordered S&L to hire a contractor to do water and soil tests.

The first quarterly results showed no major red flags, according to Shannon Nabors, Ohio EPA northwest Ohio district chief, although she and others with the agency were quick to point out little can be made from one round of sampling.

An interim report from the contractor, Bowsher Morner of Toledo, is expected in January. The final report is due in December, 2015, Ms. Nabors said.

“It’s too soon to make a determination,” she said. “This is just one sample and will have to be evaluated when all of the information comes in.”

Ohio EPA Director Craig Butler said at a recent Ohio Lake Erie Commission meeting he is “quite confident” Facility 3 isn’t spilling sludge or anything else into the water because of how it was diked when the Corps built it nearly 40 years ago.

Mr. Kovacik is joined by other heavy-hitters, including Mayor D. Michael Collins, who said he’s never felt comfortable with S&L’s arrangement at Facility 3.

The mayor recently announced he will not allow the next company holding Toledo’s sludge contract to do what S&L has been doing, nor does he want any Class B sludge product spread on farmland in the Maumee River watershed.

The likely recipient, a much larger and nationally known Baltimore sludge handler Synagro, said it plans to market the Class B product it creates from sludge as a farm fertilizer.

Lorrie Loder, Synagro senior director of technical services, also said sludge will be disposed of in a landfill “when recycling [land application as a farm fertilizer] is not an option due to weather conditions or Ohio EPA permitted field availability.”

S&L’s contract expires on Dec. 1.

The company, which did not return several calls requesting comment, is authorized to sell NuSoil as a Class B farm application. The Ohio EPA said, though, it is not aware of any of it being used in recent years for anything other than cover at Toledo’s Hoffman Road landfill.

S&L did not bid on the next contract for Toledo’s sewage sludge, nor did N-Viro.

That means the city will soon be without a cheap source of landfill cover.

Mr. Collins said that is a small price to pay for getting more peace of mind.

S&L’s operation at Facility 3 is expected to wind down once its access to Toledo’s sludge is cut off.

But questions remain about what happens to the material stored there.

“I think they realize the gig is over and cannot afford to stay in there,” Mr. Collins said. “The whole thing is a series of misrepresentations.”

**Facility’s benefit**

Joe Cappel, Toledo-Lucas County Port Authority cargo development director, believes city officials have completely missed the point of S&L’s operation at Facility 3.

He said Facility 3 isn’t leaking and could complement other efforts to phase out the Corps’ controversial practice of dumping most or all of the dredged material each summer back into the lake’s open water, in an area of North Maumee Bay.

Facility 3 is what’s known as a confined disposal facility, a waterfront landfill operated by the port authority.

The Corps has used it since the mid 1980s only for sediment deemed by U.S. EPA standards to be too toxic to go back into the water.

Most of that came from Toledo’s industrial harbor years ago.

For at least the last five years, everything the Corps has dredged has been put back into the open water.

The Corps’ open-lake disposal program continues to be attacked by governors and state environmental managers as unhealthy for western Lake Erie, though. They believe the practice contributes to the lake’s algal problem by stirring up phosphorus that’s embedded in the sediment.

Their concerns have not been silenced by a new report in which a consultant hired by the Corps has concluded the practice of open-lake dumping has no significant impact on algal blooms.

U.S. Rep. Bob Latta (R., Bowling Green) recently introduced a bill calling for an end to open-lake disposal.

In July, Gov. John Kasich’s administration announced a $6 million research project for exploring possible reuses of dredged material. That project, centered in North Toledo’s Riverside Park, is part of a $10 million package for Lake Erie research and improvements pushed by Ohio Sen. Randy Gardner (R., Bowling Green).

**Long-term goals**

To Mr. Cappel, the activities at Facility 3 are part of the big-picture efforts to move Lake Erie forward.

He said officials don’t seem to understand the long-term goal was to clear out more room in Facility 3 for dredged material. That, in turn, could phase out open-lake disposal more quickly, he said.

“The idea was to have S&L do blending on the site and to have more capacity,” Mr. Cappel said. “That was the whole point behind S&L and Facility 3, to make more capacity so that open-lake disposal could be phased out.

“I think the most disappointing thing is that the city acted on these accusations or assumptions. I believe they’re unfounded, that somehow Facility 3 is contributing to algal blooms,” Mr. Cappel said. “For us, it was a real setback this NuSoil program is now coming to an end.”

He said there is an impermeable layer of clay at the bottom of Facility 3, making claims that it leaks from beneath “preposterous.”

Lynn Sherman, a former Envirosafe chemist and biologist who ran Oregon’s wastewater treatment facility from 1977 to 1981, agrees with Mr. Kovacik that the site needs to be fully investigated.

“I am not stopping. These people cannot tell me it is safe,” Mr. Sherman said.