

## Management of Biosolids

Approximately six million tons of sewage sludge ("biosolids") are produced annually by sewage treatment plants in the United States. With inadequate treatment these biosolids may contain a wide variety of chemicals and pathogens, the remains of the sewage treatment process. (1) EPA does not know whether current regulations, when adhered to, are protective of public health; (2) EPA does not have an overall understanding of the magnitude and quality of Biosolids production and disposal practices; (3) EPA does not know if the enforcement and compliance resources committed to managing biosolids are adequate to ensure that the regulations are adhered to.

EPA has not conducted the basic research needed to determine the risk associated with certain biosolids disposal practices. The Agency has taken the position that biosolids management is a low-risk activity. As a result, EPA has failed to adhere to its commitment to comprehensively assess the extent of the risk. EPA issued Part 503 of Title 40 of the Code of Federal Regulations ("The Sludge Rule") to govern the use and disposal of biosolids in February 1993 under court order. When it issued the rule, EPA committed to conducting a comprehensive research program to assess the risks associated with land application of biosolids, yet it has not yet done so.

In June 2002 the National Academy of Sciences (NAS) recommended additional research. EPA is currently studying those recommendations, and has committed to producing a research work plan by the end of 2003, nearly 11 years after committing to do so.

EPA uses the Permit Compliance System (PCS) to manage water quality activities of point source dischargers such as sewage treatment plants, but PCS is acknowledged by the Office of Water (OW) as inadequate for managing biosolids. EPA is unable to answer basic questions such as how much biosolids are land-applied. As a result of this data gap, OW developed an independent system, the Biosolids Data Management System (BDMS), to track compliance with biosolids regulations. EPA is revising PCS, but has not yet decided whether to incorporate BDMS into this new version. According to OW, "the ultimate usefulness of the BDMS on a national basis is likely dependent upon its adoption into PCS."

EPA has diverted compliance and enforcement resources away from this program. The safety of biosolids land application depends on the adherence to highly technical treatment standards by land applicators across the country. In a 2000 report we found inadequacies in EPA's management and enforcement of the biosolids program. In a status report on the biosolids program published two years later, we reported a further 44% reduction in full-time equivalent (FTE) positions (from 18 to 10). This is a particular concern because EPA runs the biosolids program in 45 states. Adequate oversight of this program is critical for ensuring regulatory compliance. To date, EPA has not committed the resources needed to fulfill its oversight responsibilities.