



**NORTHWEST  
BIOSOLIDS**

Unearthing Sustainable Solutions

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Charles E. Sheehan  
Acting Inspector General

Subject: Audit to determine whether the U.S. Environmental Protection Agency (EPA) has and implements controls over the land application of sewage sludge

Northwest Biosolids (NB) appreciates the opportunity to provide comments on the Office of Inspector General (OIG) evaluation of the federal biosolids land application program released November 15th. NB is an association of local utilities and private businesses in the Northwest United States and in Canada engaged in advancing the recycling of wastewater biosolids in a sustainable manner.

OIG has identified several opportunities for improvement of the federal Biosolids program. While NB is in concurrence on a number of these recommendations, we are disappointed in the generally alarmist tone of the document. While some parts of the report provide accurate descriptions of biosolids management and regulation, other parts are inaccurate or at least incomplete. The report's title alone ("EPA Unable to Assess the Impacts of Hundreds of Unregulated Pollutants in Land Applied Biosolids on Human Health and the Environment") ignores the screening process and risk assessment that was and is the foundation of the 40 CFR 503 regulation. While we agree that the screening process and the risk assessment need to be updated we do not believe that previous efforts to assess risk were inadequate for the protection of public health as the title of this report implies.

Biosolids regulation has been a collaborative process between the EPA, the States, local agencies and the regulated community. No assessment of the adequacy of the controls over land application of biosolids can be complete without recognizing this relationship. OIG's focus is understandably on EPA's role in regulating biosolids land application but evaluating the program without considering the efforts of state and local partners appears to have resulted in an exaggeration of the gaps in oversight and control.

NB is concerned with OIG's apparent lack of awareness of the substantial amount of research that has been done on the beneficial use of biosolids. The OIG report cites a 2002 CDC report that noted that additional study of worker exposures to pathogens and other toxics possibly present in the Class B biosolids used by the workers is needed. It failed to note the substantial

amount of research stimulated by the CDC report and conducted by the University of Arizona over the next decade that indicated land application of Class B biosolids presented very low risk to workers. OIG quotes an unidentified stakeholder that said “wastewater treatment plants do not have funding available for biosolids research since they are publicly funded and, as such, have difficulty in getting funds for research.” NB, an organization made up primarily of publicly owned treatment plants, supports over \$200,000 worth of biosolids related research every year. We are only one of several such organizations across the US and Canada that have been conducting research on biosolids for over 30 years.

NB agrees that EPA would benefit from additional resources. We believe that additional resources at the Biosolids Center for Excellence and at Pathogen Equivalency Committee could facilitate more timely inspections, audits and evaluations of programs and technologies. We also believe that further development of the screening and risk assessment tools will aid in the timely assessment of the 352 chemicals currently identified as potential constituents of concern as well as any chemicals that EPA may identify in the future. We also support the commitment of resources to biosolids training and networking opportunities across the regulated and regulator community to support ongoing efforts to bolster the understanding of biosolids management. NB has emphasized the importance of continual support for the national program in past communications to EPA as this will uphold a robust and transparent regulatory oversight program.

NB does not support changing the EPA’s current response to questions regarding the safety of biosolids land application. The best science we have suggests that biosolids land application is safe and effective. The uncertainty cited by OIG is common to any practice. We cannot say for certain that the dust in your house will not kill you but we do not require realtors to post for sale signs that say “living in this house may cause irreparable damage to your health.” Far more is known about biosolids and trace chemical contaminants than the OIG report acknowledges. The safety of biosolids use is widely understood, and, over the years EPA has articulated this reality. For example, as noted in the 2002 National Academy of Sciences report on page 51: “.....EPA decided that the land application of biosolids was a low risk to public health and therefore the biosolids oversight program was given a low priority..... That decision was based on the aggregate risk assessment, which showed negligible adverse effects even without regulation.”

NB is dedicated to the advancement of the safe and effective recycling of wastewater biosolids. Please let us know how we can contribute to improving this important and beneficial program.

Regards,



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Executive Director, Northwest Biosolids

cc: David Ross, Administrative Administrator, Office of Water  
Liz Resek, National Biosolids Coordinator, Office of Science and Technology