

Environmental Protection Agency

Tuesday
June 12, 1984

Part VI

**Environmental
Protection Agency**

**Municipal Sludge Management Policy;
Notice**

**ENVIRONMENTAL PROTECTION
AGENCY****[WH-FR: 2606-2]****Policy on Municipal Sludge
Management****AGENCY:** Environmental Protection
Agency.**ACTION:** Notice of Agency policy on
municipal sludge management.

SUMMARY: The Environmental Protection Agency established a Task Force in 1982 to examine the problems of sewage sludge disposal and utilization, and the need for additional regulations under Section 405 of the Clean Water Act. The policy announced today is a product of that Task Force effort. It will guide the future implementation of the Agency's sewage sludge regulatory and management programs also adopted as a result of the Task Force recommendations. This notice announces a statement of policy to guide the future implementation of the Agency's sewage sludge regulatory and management programs.

FOR FURTHER INFORMATION CONTACT:
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SUPPLEMENTARY INFORMATION: Sewage sludge is made up of the residual materials resulting from the treatment of municipal wastewater at publicly owned wastewater treatment plants. The removal of these materials is essential to the operation of these wastewater treatment facilities. Proper utilization and disposal practices in managing sewage sludges are essential to assure the protection of public health and the environment.

The Agency estimates that nearly 7 million tons of dry sludge solids are generated annually. The management of sewage sludge represents a major component of the costs of wastewater treatment. Sewage sludge contains crop nutrients and organic material useful in improving soil productivity. Methane gas can be recovered when sewage sludge is stabilized by anaerobic digestion and when sufficiently dewatered energy can be produced from sludge solids by burning them. The potential benefits from recycling sewage sludge have been well demonstrated. However, concerns over the presence of toxic substances and pathogens in sewage sludge and its possible impacts on human health and the environment require that adequate controls be applied to sludge management practices.

Legal authorities are found in a number of Federal laws for establishing regulatory programs and for setting minimum technical requirements for waste disposal practices. The Agency announces today its intention to consolidate where practicable, its various existing waste management authorities with the broad authorities provided under Section 405 of the Clean Water Act to establish minimum requirements for the control of sewage sludge. These regulations will include coverage of sludge management practices which are not now controlled. In establishing and implementing these requirements, the Agency will actively promote those practices which recycle sewage sludge to recover its resource value.

Various federal laws establish different roles for the Federal and State governments in regulating waste disposal practices. However, no law establishes consistent roles in sludge management across all environmental media and all management practices. In the policy set forth today, EPA establishes the Federal regulatory role in sludge management in the context of the role expected of both State and local governments.

To implement this policy the Agency will provide a continuing program of research and technical assistance. It will also issue general guidelines for sewage sludge disposal and use practices in August of 1984. These guidelines will describe in detail the capabilities of technologies, the current Federal requirements that govern them, and recommended management practices that will help ensure successful operations. The Agency will also issue regulations governing the establishment of State sludge management programs to implement both existing and future controls. The current schedule calls for a draft of these requirements to be released for public comment in July of this year, and proposed rules to be issued in May of 1985. The current technical requirements for individual use and disposal practices are being studied, and new and possibly revised requirements are scheduled to be issued beginning in 1986. The Agency will report the progress of its regulatory efforts through regular channels of public outreach.

The Agency's policy and its continuing sludge management program activities have been reviewed with representatives of State solid waste and water pollution control officials, the EPA Management Advisory Group, the Association of Metropolitan Sewerage Agencies, various environmental groups, and a wide range of other interested

parties. Comments on the policy statement or the Agency's continuing sludge management program should be addressed as noted above.

Statement of Policy

The U.S. Environmental Protection Agency (EPA) will actively promote those municipal sludge management practices that provide for the beneficial use of sludge while maintaining or improving environmental quality and protecting public health. To implement this policy, EPA will continue to issue regulations that protect public health and other environmental values. The Agency will use all available authorities to ensure that States establish and maintain programs to ensure that local governments utilize sludge management techniques that are consistent with Federal and State regulations and guidelines. Local communities will remain responsible for choosing among alternative programs, for planning, constructing, and operating facilities to meet their needs, and for ensuring the continuing availability of adequate and acceptable disposal or use capacity.

Rationale

Municipal sludge is generated as a consequence of treating municipal wastewater. Nearly 7 million dry tons per year of residual sludge solids are currently produced by publicly owned treatment works. Sludge management is an essential component of wastewater treatment operations and a major element in treatment costs. All options for sludge use and disposal have costs, benefits, and risks. EPA believes that guidance and regulations are the best way to promote good practices for sludge use and disposal that minimize the potential adverse impacts on public health and the environment and maximize the potential benefits. The benefits potentially gained through sludge use include energy and nutrient recovery, soil improvement, and the conservation of valuable natural resources.

Many Federal laws require environmentally sound management of municipal sludge and several of these laws stress the need for sludge utilization and reuse. These include the Clean Water Act; Clean Air Act; Resource Conservation and Recovery Act; Marine Protection, Research and Sanctuaries Act; Toxic Substances Control Act; and the National Environmental Policy Act. Because there is no single legislative approach, a framework for integrating the various Federal laws and regulations is needed to ensure that sludges are used or

disposed of in a consistent, environmentally acceptable, and economically feasible manner. EPA recognizes the need to control the potential impacts of sludge use and disposal practices, and in the past has attempted to guide and control sludge management without such an integrating framework through individual regulations, technical guidance, and research. These efforts have not provided sufficient certainty to the regulatory process, nor have they always guided local governments toward adequate sludge management planning. Accordingly, EPA is issuing this policy statement and taking other steps to help establish a more integrated approach to municipal sludge management at the Federal, State and local level.

Principles Guiding Policy Implementation

1. EPA believes that the risks, benefits, and costs of all sludge use and disposal practices should be considered on an intermedia basis when formulating and implementing sludge regulations and management programs. Potential short-term and long-term impacts to public health and the environment should be addressed to ensure that the options chosen protect human health and the environment.

2. EPA believes that minimization of potential widespread of irreversible impacts, as well as involuntary hazards, should receive primary emphasis in both regulations and sludge management decisions. Where the risks are uncertain but potentially significant, additional safeguards may be needed.

3. EPA believes that the planning and operation of wastewater and sludge treatment processes should be closely integrated to control both sludge volume and sludge quality.

4. EPA believes that contaminant levels in municipal sludge which interfere with its management should, whenever possible, be controlled at the source through changes in waste

generating activities or through local pretreatment requirements beyond the minimum requirements specified by Federal categorical standards.

5. EPA believes that beneficial sludge use should be the intent of major sludge management technologies of the future and has devoted research in support of them. Regulations and guidelines that establish the requirements for these systems are essential to the wider use of these technologies.

6. EPA believes that in most cases States should have the primary responsibility for implementing regulatory programs for sludge use and disposal which provide for clear and expeditious decision-making, and the States should help local governments and others to develop, implement, and maintain proper sludge management systems.

7. EPA encourages public and private sector development of improved sludge management and pretreatment technologies and practices that increase the number of cost effective and environmentally acceptable sludge management methods available.

Policy Implementation Roles and Responsibilities

1. *Responsibility for Establishing Basic Regulatory Requirements for Sludge Management Rests with EPA.* EPA will maintain an oversight role and will:

- Integrate and interpret the requirements of the several applicable Federal laws and issue regulations and guidance to ensure that they are applied consistently toward municipal sludge management;
- Establish regulatory requirements that promote beneficial sludge use;
- Provide standards that establish contaminant levels and management practices for acceptable municipal sludge use and disposal;
- Establish minimum requirements for State sludge management programs providing sufficient discretionary

authority for States to tailor their programs and actions to local variation;

- Enforce adherence to Federal requirements where not enforced by States;
- Provide guidance and information on sludge treatment technologies and practices and direct technical assistance to States and local governments;
- Support research and development, and encourage the demonstration of projects to facilitate the advancement and use of new or improved technologies;

2. *Responsibility for Ensuring Effective Sludge Management by Local Governments Rests Primarily with Each State.*

- Each State shall establish and maintain a regulatory and oversight program adequate to implement State and Federal requirements;
- Each State should provide active assistance to local governments in planning their sludge management systems.

3. *Responsibility to Operate and Maintain Appropriate Sludge Management Systems Rests with Each Municipality.*

- Municipalities are responsible for operating and maintaining sludge management systems which comply with applicable Federal and State regulatory requirements.
- Municipalities are responsible for maintaining sludge use and disposal capacity sufficient to meet the needs of their wastewater treatment systems.
- Municipalities are responsible for controlling the discharge of contaminants into their sewerage systems so that sludge quality is suitable for meeting regulatory requirements and local management objectives.

Dated: May 31, 1984.

William D. Ruckelshaus,
Administrator.

[FR Doc. 84-11544 Filed 6-11-84; 8:45 am]
BILLING CODE 6560-50-M