



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OCT - 7 2004

OFFICE OF
WATER

Mr. Scott Hassett
Secretary, Department of Natural Resources
101 S. Webster Street, Box 7921
Madison, WI 53707-7921

Dear Mr. ^{Scott}Hassett:

Thank you for your letter dated September 13, 2004, to Administrator Michael Leavitt. In your letter, you refer to a letter from Greg Kester to Jim Hanlon, Director, Office of Wastewater Management, concerning several biosolids management issues raised at a National State and Federal biosolids coordinators workshop. Your letter refers to a request for a statement reaffirming that the Environmental Protection Agency's (EPA) biosolids regulations are adequately protective of human health and the environment. You also requested that EPA reissue an official statement that beneficial use of biosolids through land application or public distribution is preferable to land filling or incinerator combustion.

Enclosed, please find a copy of Mr. Hanlon's letter which was sent in response to the issues raised by Greg Kester's letter. The regulatory baseline for the management of biosolids under the Clean Water Act is contained in the biosolids regulations at 40 CFR Part 503. The Part 503 regulations outline the use and disposal practices that publicly owned treatment works may select in their management of biosolids: land application, land filling or surface disposal and incineration. Based on the technical and scientific record, and as explained in the response to Greg Kester's letter, EPA believes that the 40 CFR Part 503 regulations are protective of public health and the environment.

As to the request that EPA should issue a statement favoring the beneficial reuse of biosolids over other uses, we do not believe that EPA should be involved in determining the biosolids management options most suitable for a particular community. Just as EPA does not require or expressly recommend that communities treat their wastewater to reuse standards and reuse it, or require particular technologies of municipal or industrial permittees to meet the

National Pollutant Discharge Elimination System permit limits, we do not require or expressly recommend that communities choose beneficial reuse of biosolids. EPA supports the reuse of wastewater and the beneficial reuse of biosolids as viable options available to communities, but firmly believes that any decisions regarding those choices are local decisions subject to meeting State regulations in addition to Federal regulations.

We appreciate your sharing of your concerns on this matter relative to biosolids management, and hope that this response addresses your concerns.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ben H. Grumbles". The signature is written in dark ink and is positioned above the printed name and title.

Benjamin H. Grumbles
Acting Assistant Administrator