



NSW Biosolids Regulatory Review

Preliminary Consultation Outcomes

The NSW Environment Protection Authority (EPA) reviewed how we regulate biosolids in NSW. We consulted with industry, sewage treatment plant operators, local councils, composters, biosolids contractors, community and other government agencies.

This document provides an overview of the key themes that emerged from consultation and the next steps towards developing a new regulatory approach for the land application of biosolids.

What did we do?

- We published the *NSW Biosolids Regulatory Review: Issues Paper* and accompanying *Technical Findings Report* on the 'NSW Biosolids Regulatory Review Have Your Say' page and reports detailing the comprehensive data and technical studies used to inform the review.
- We consulted with the public from 24 August 2023 to 31 October 2023 by inviting submissions via the EPA's consultation website, 'Have Your Say' or the dedicated mailbox, biosolids.review@epa.nsw.gov.au.
- The 'Have Your Say' webpage attracted 1,417 visitors, with 3,685 unique views and a total of 2,016 document downloads.

How did we engage?

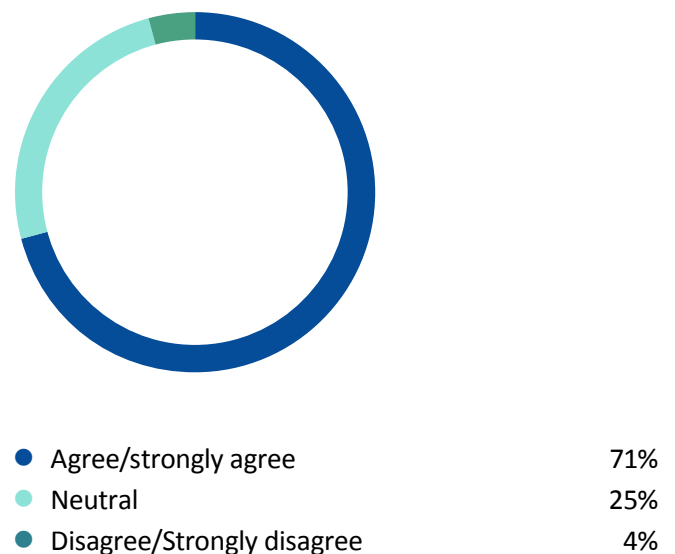
- We directly told 245 local councils, peak bodies, industry and Aboriginal Land Councils that consultation had started.
- Two online information webinars were held on 5 and 6 September 2023, with 120 registered attendees.
- Questions asked during the two webinars were collated and published in the *NSW Biosolids Regulatory Review – Q&A* on the 'Have Your Say Page' to inform and help all stakeholders in the preparation of their submissions.



Image 1: Q&A panel - Biosolids Regulatory Review
Information Session 6 September 2023

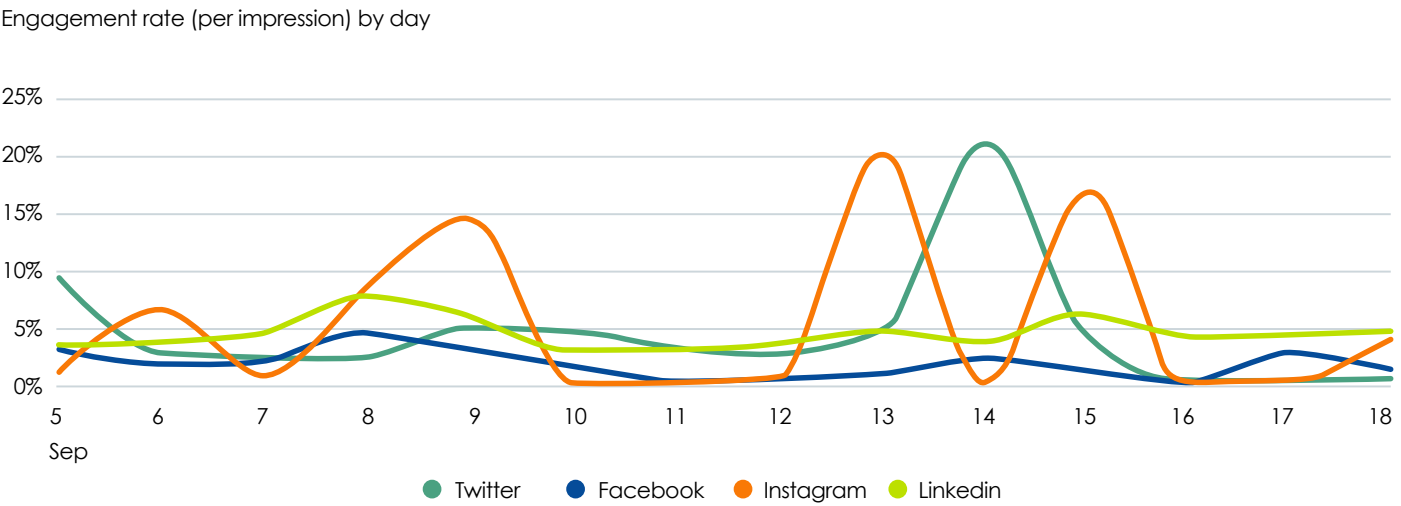
- Of the 51 respondents to the post-webinars survey, the majority (71%) reported that the webinars met their expectations (Figure 1).

Figure 1: Summary of survey responses to "Did the webinar meet your expectations?"



- One-on-one information sessions with individual stakeholders were held upon request.
- A social media campaign between 5 and 18 September 2023 (Figure 2). LinkedIn performed well, reaching 7,382 impressions, 302 engagements and 158 click-through via links, indicating the effectiveness of this platform in professional networking and content distribution

Figure 2: Social media engagement on biosolids during September 2023



NSW Environment Protection Au...

Mon 9/18/2023 8:09 am AEST

Biosolids: Bridging Science and Sustainability 🌍

Biosolids hold the potential as an innovative and dynamic waste management and sustainability...

Engagement Rate (per Impression)	6%
Impressions	331
Engagements	20

NSW Environment Protection Au...

Tue 9/12/2023 10:01 am AEST

Our understanding of the risks associated with the use of biosolids has matured 🌱 In the intricate world of wastewater treatment,...

Engagement Rate (per Impression)	4.2%
Impressions	5,398
Engagements	229

nsw_epa

Mon 9/18/2023 8:10 am AEST

Biosolids are more than just waste! 🗑️💚 The solid by products from sewage treatment plants have found a valuable purpose in improving so...

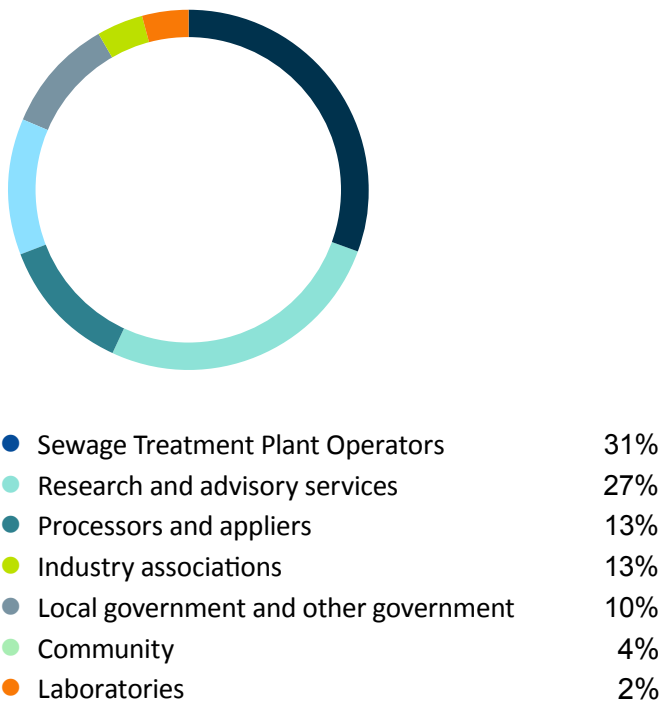
Engagement Rate (per Impression)	4.4%
Impressions	475
Engagements	21

Image 2: Social media campaign excerpts

Who did we hear from?

We received **48 submissions** on the *NSW Biosolids Regulatory Review: Issues Paper* and accompanying *Technical Findings Report* from a range of stakeholder groups (Figure 3).

Figure 3: Submissions categorised by stakeholder group¹



The majority of respondents were:

- sewage treatment plant operators, including local councils, Sydney Water and Hunter Water
- research and advisory services, such as wastewater and environmental consultants, and technology providers
- processors and appliers, including composters, biosolids contractors and land appliers
- industry associations including Australian Organics Recycling Association (AORA), Australian & New Zealand Biosolids Partnership (ANZBP)
- local government and other government agencies.

What did we hear?

- There is support for the biosolids regulatory review to better regulate biosolids, to protect human and environmental health, and address emerging contaminants of concern.
- Stakeholders consider the classification and land application methodologies of the *Environmental Guidelines: Use and Disposal of Biosolids Products* (NSW EPA 1997) (Biosolids Guidelines) to be reasonably effective. However, there is recognition that the Biosolids Guidelines need to be updated to be fit-for-purpose and respond to the science and emerging risks.
- Industry requires regulatory certainty that considers the full product lifecycle, considering use of and managing contaminants from product design stages through to end of life.
- Stakeholders appreciate the EPA’s transparency through the release of data and assumptions for proposed stabilisation and contaminant gradings.
- Industry has concerns that the science and evidence behind the setting of contaminant limits is overly conservative and will disrupt the biosolids reuse industry.
- There is support for a change to the current definition of biosolids, to distinguish between sewage sludge and biosolids (that have undergone further treatment). Any change must consider the impact of energy from waste prohibitions and resource recovery implications. Also, there is a call to have a nationally consistent definition of biosolids.
- Greater clarity is needed on the proposed new biosolids classification system (Table 2 of the Issues Paper) to reduce complexity and make sure there is support for the beneficial reuse opportunities of stabilised biosolids.
- There are views that the proposed new contaminant thresholds (particularly, for copper, zinc, PFAS, triclosan and galaxolide) may not be achievable, thus preventing the reuse of biosolids and likely resulting in large quantities of biosolids being sent to landfill.
- Although it is recognised that thresholds for emerging contaminants are needed, there was concern that if the proposed new contaminant thresholds flow on to the broader recycled organics industry, it may limit future use and impact State and Federal targets as outlined in the *NSW Waste and Sustainable Materials Strategy 2041*

1 Includes one submission received after public consultation closed, but prior to publishing this report.

- An overall general concern regarding potential economic, environmental and social implications. For example, there may be a need for further treatment of biosolids to meet proposed new regulatory limits. There would also be extra laboratory testing needed for new contaminants, and the extra transportation and landfilling of biosolids that do not meet the new thresholds.
- There is a preference for source controls, or point of generation solutions, to regulate and prevent contaminants from entering the sewerage systems, over end-of-pipe measures which are seen as contradicting the polluter-pays principle.
- Support for a nationally consistent approach to product design, phase-out or restrict entrance into the Australian market of products containing known and emerging contaminants of concern.
- Support for risk and place-based approaches to regulating contaminants, odour and stability, with a focus on outcomes to help enable safe, beneficial reuse of biosolids.
- Support of a Hazard Analysis and Critical Control Points (HACCP) approach for managing odour and stability.
- Calls for developing a best practice manual, in collaboration with industry, using industry experience and local data, rather than desk-top international studies, to manage odour and stability.
- The need for a regulatory impact statement to show the potential risks, costs and benefits of a new regulatory approach.

What's next?

The EPA would like to thank all stakeholders for their feedback. Your feedback is important to us and will help inform a new regulatory approach.

The EPA is continuing in-depth analysis of stakeholder feedback as well as analysis of all biosolids data from our own sampling program and from data provided by sewage treatment plant operators around the state (over 90% response rate to our request for data from around 270 premises). An options paper that includes potential interim mitigation measures (such as additional sampling and testing, education and guidance materials) will be released for further consultation. Further impact analysis will also be conducted to support the regulatory design of a proposed new approach.

NSW Environment Protection Authority

Website: www.epa.nsw.gov.au

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Report pollution and environmental incidents Environment Line:

131 555 (NSW only) or info@epa.nsw.gov.au
See also www.epa.nsw.gov.au

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