



## **Working Document on sludge and biowaste EWA statement**

### **Yes to a link between the application of sludge and biowaste and a soil protection strategy**

EWA is in favour of the basic idea to link sludge (biosolids) and compost (biowaste) application to soils with a general soil protection strategy. We appreciate the proposal to widen the use of sludge to non-agricultural land. On the long term run agricultural activity with all its aspects has to be included into a soil protection strategy. As the discussion in Brussels showed there is a strong concern in the southern parts of Europe that e.g. the soils show decreasing organic matter concentration which can lead to desertification. The responsibility for soil fertility and erosion resistance maintenance should be included into the duties of the owners of the soils or the producer of crops. The discussion on the role of biowaste and sludge in maintaining organic matter content in the soils should not be "regulated" in a sludge and /or biowaste directive. Both materials should be handled with the same level of soil protection and environmental impact assessment (the latter is important for nutrient losses from the soils by groundwater and surface runoff).

### **However an effective soil protection directive will not be achieved in the scheduled time frame**

Soil protection strategy is a very complex problem as it turned out at the meeting in Brussels as geologic and climatic conditions play a very important role but also agricultural practice in crop and animal production. It could be that within the scheduled short period of time (until September 2004) a substantial progress in an EU soil strategy directive cannot be achieved. Or it can be only formulated in such a general manner that it can not be effectively implemented. A legal formulation of soil protection requirements affects a great variety of stakeholders and very difficult long term monitoring procedures which can actually not rely on a scientific consent all over Europe. Agriculture is one of the most sensitive areas of EU policy which makes slow progress towards sustainable development. Soil protection is a key element of sustainability and needs very thorough investigations and consent finding processes.

### **First a comprehensive soil strategy, then removal or adaptation of the sludge and biowaste directives**

Summing up EWA is in favour of the development of a soil strategy and a close consultation process with soil experts in developing a sludge and biowaste directive, i.e. in a merger of the three subjects. Nevertheless it is recommended to refrain from the idea to produce a soil protection strategy directive until September 2004 or to postpone the development of all the three subjects until an effective soil strategy directive has been elaborated and adopted. The risk potential with controlled sludge and biowaste application on soils is so low that within a ten years period no long term harm to soils will occur as long as the existing draft directives for the two waste streams are applied. After having developed a comprehensive soil protection strategy the sludge and biowaste directives could be removed or adapted.

## **A clear statement of support from the EU to sustain agricultural use of sludge and biowaste**

It is felt that a clear declaration from EU in favour of agricultural use of the sludges and composts in agriculture or other soils within a short period of time would enhance the recycling aspect throughout EU. Otherwise there is the risk that these valuable waste streams end up in incineration and will not return to agricultural use again. Such a development is economically feasible and from the reliability point of view of the treatment plant operators sometimes necessary for all larger agglomerations (low number but high capacity of plants). For the high number of small treatment plants mostly in rural areas recycling of sludge and biowaste is still the most economic and in addition an environmentally sound solution. As changes in the soil which can be attributed to the application of controlled sewage sludge and composts, both of known origin, are very slow the risk management for the soils can be organised in an efficient way.

## **Find a balance between soil protection issues and waste reuse strategies**

We appreciate that the use of non-hazardous industrial sludge is included in the working document. It goes without saying that the input of harmful materials into soils should be minimised, which means that biowaste and sludge of lower quality should not be applied to soils. On the other hand the reuse of these materials, if of good quality, is beneficial for the soils and helps to implement the environmental goal to reuse resources. Therefore a balance has to be found between the two environmental aims soil protection and reuse of resources. To use 75% of sewage sludge for landspreading, as put down in the discussion document, seems to ensure this. This balance however clearly excludes a rigid ban of the agricultural use of these materials.

## **Rule out excluding approaches of Member States**

Some Member States prepare national regulations about sludge and biowaste which, by setting very strict limiting values, will result in an implicit ban of the agricultural use of sewage sludge and biowaste. Other countries plan an explicit ban or have already done so. With the undeniable benefits of using high-quality sludges and biowastes for landspreading, as described above, this will not help to implement all environmental goals and plainly opposes the European approach which is clearly laid down in the discussion document and its preceding documents. European legislation should therefore try to rule out such approaches to ensure a maximum of environmental benefits all over Europe. This could for example be achieved by introducing the legislation as a Regulation instead of a Directive.

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*The comments are largely based on the Ad Hoc Meeting Biowastes and Sludges which took place in Brussels on 15 and 16 January 2004 and the related discussion document.*

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