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Sustainability Growth Innovation*

Position Paper

Sewage Sludge Use in Farming Evaluation (Directive 86/278)

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SGI Europe welcomes the opportunity to submit its input to the evaluation of the Sewage Sludge Directive (Directive 86/278). Since the environmental circumstances and the consumption behaviour of society and the industry have substantially changed over the last three decades, **SGI Europe sees it as highly necessary to re-evaluate the Sludge Directive (SSD) and align it to the current challenges of climate change and EU climate policies also under the EU Green Deal.** The parameters of the current SSD are not sufficient enough anymore to ensure a safe use of sewage sludge in agriculture, and it will be important to assure through adequate monitoring and controlling tools, maximum protection of the environment and human health.

In fact, the **re-evaluation of the SSD should be carried out in coordination with the revision of the Urban Waste-Water Treatment Directive** (See SGI Europe's roadmap response [here](#)), since both address the issues for more efficient waste-water management treatment across Europe and also the issues of energy and resource efficiency that play a central role in its modernisation and progress towards the objective of the EU Green Deal. As a cross-sectoral organisation, which includes the water operators that must manage the waste-water treatment plants and the contemporary sewage sludge produced, **SGI Europe deems it as very important to ensure stability and coherence between the two directives.** This will bring certainty in the necessary long-term planning and investment strategies.

For that reason, SGI Europe outlines hereafter its policy recommendation for the evaluation of the SSD to become a sustainable and effective EU policy framework:

- **Improve Preventative Measures to improve the quality of sludge:** In accordance with the **precautionary principle** and the **control at source principle**, measures need to be taken to prevent pollution at the source across the value chain through a consideration of sectoral, market and trade policies, to improve the framework for a sustainable and circular economy;
- **Avoid one-sided End-of-Pipe solutions:** Relying merely on end-of-pipe solution is not a holistic nor a sustainable solution for this environmental challenge and the burden of costs should not be borne by citizens;
- **Create an EU wide framework and a collective responsibility for all actors in the value chain:** It is critical to acknowledge that sludge is a collective responsibility and calls for cooperation amongst all actors to find common solutions and overcome divergences in an informed manner. SGI Europe calls here for a strong EU sludge policy that is **coherent with other EU policies and EU law, namely the UWWTD, Water Framework Directive and its daughter directives, Nitrates Directive and CAP**, to ensure that municipal companies can rely on a legal framework that also gives them investment and planning security;
- **Modernise and align EU policies towards End-of-Waste and circular economy:** Sludge is all too often only seen as waste, and therefore incentives are lacking for the water sector to invest in the recovery of secondary raw materials from sludge and the production of sludge-based products. In order to facilitate incentives and regulate **the use of sludge as part of a circular economy there is an urgent need for end-of-waste criteria with regards to sludge.** Also, **the generation of heat and electricity from sewage sludge plays a special role on the path to climate neutrality** and if this is not effectively managed, valuable energy potential remains unused and counteracts the circular economy ambitions. Additionally, **the SSD should in this regard be technology neutral on the waste-water treatment technologies;**
- **Support and harmonise the local sewage sludge management:** National and local authorities have moved away from EU minimum rules creating a patchwork of different rules. Additionally, to

avoid to further dispose sludge, local municipalities need EU and national support for incentives and help in creating improved utilisation and recycling possibilities;

- **High quality sludge can be safely spread onto land and agricultural fields:** Locally, this can be facilitated with quality assurance schemes and agreements between water operators and farmers to ensure high quality, safety, and mutual trust. At EU level, coordination with the Fertilisers Regulation would provide the opportunity for high quality sludge to obtain a science-based quality certification for fertilising purposes, hence ensuring the consideration as a resource throughout the EU.

The issue of quality sludge needs to be improved through preventative measures

It is widely acknowledged that **pollution prevention is significantly more efficient than treatment**. Once certain pollutants, which could be avoided, enter the waste-water system, they become difficult to detect, removed and filtered with conventional treatment. In accordance with the **precautionary principle and the control at source principle**, measures need to be taken to prevent pollution at the source through a consideration of sectoral, market and trade policies, to improve the framework for a circular economy.

Furthermore, focusing on **end-of-pipe solutions raises a set of issues related to higher treatment levels**. The cost of water services for households as, based on the cost-recovery principle, citizens risk bearing the burden of the costs generated by polluting industries, or increased energy use in an already energy-consuming process. All in all, ensuring that action is taken to reduce pollution altogether results in higher quality sludge and cleaner water with less treatment.

Additionally, **pharmaceutical residues pose a growing challenge to surface water, groundwater, and waste-water quality**. Their impact is expected to increase with an ageing European population that uses more pharmaceutical products and will be intensified by lower river flows due to climate change. (See [SGI Europe response on the Pharmaceutical Strategy](#)). Therefore, **SGI Europe argues that these chemical risks should be included and taken into account when evaluating the SSD** and aligned with the revision of the Pharmaceutical Strategy and should build on the Commission's Strategic Approach to Pharmaceuticals in the Environment. (See also [SGI Europe's position on Zero Pollution Action Plan](#)).

Overall, SGI Europe strongly suggest that the European Commission should take the necessary preventative measures that will **keep supporting the safe use of sewage sludge and foster the circular economy for a successful evaluation of the SSD that is in line with the objectives of the EU Green Deal and supports the ambition for a zero-pollution strategy**. Shifting the responsibility from the source of pollution to the sewage sludge treatment operators is neither proportionate nor in the interest of a sustainable circular economy. Therefore, the focus should be to support the use of good quality sewage sludge rather than restricting it. Here again, the control at source, the precautionary and the polluter pays principle must be applied in every case.

Modernise and align EU policies towards End-of-Waste and circular economy

Sludge is all too often only seen as waste, and therefore incentives are lacking for the water sector to invest in the recovery of secondary raw materials from sludge and the production of sludge-based products. In order **to facilitate incentives and regulate the use of sludge as part of a circular economy there is an urgent need for end-of-waste criteria** with regards to sludge. A mechanism or minimum standards for the creation

of such criteria could be introduced in the Sludge Directive, in case the Commission decides to revise the regulation. Under the right conditions and with clear standards, sludge can certainly be used for a wide range of applications and production processes.

In fact, the Commission announced in its recent Circular Economy Action Plan that it would investigate the feasibility of introducing end-of waste criteria for certain waste streams. **SGI Europe deems it equally important for the Commission to include sludge as part of this evaluation.**

To fully reap the benefits offered by sludge, including **nutrient or energy recovery**, it is essential that this biological resource is collectively addressed. **As long as it is considered as waste, it will continue to be difficult to boost its potential, assess the various opportunities unbiasedly or have public discussions about options.** Moreover, within the correct framework, it can be a great resource that contributes to EU Green Deal objectives and sustainable development. For this to happen, the inevitable continued production of sludge also needs to be acknowledged. Furthermore, it is critical to **acknowledge that sludge is a collective responsibility and calls for cooperation amongst all actors to find common solutions and overcome divergences in an informed manner.** A key point is to ensure not only a strong EU sludge policy but also coherence between policy goals, as well as streamline circular economy objectives throughout sectoral policies.

Effectively reduce emissions by making better use of energy and material recovery technology

For municipal water management companies, **optimising the energy balance is an important goal and a constant challenge.** When utilising the available energy potential, the generation of heat and electricity from sewage sludge plays a special role on the path to climate neutrality. **Sewage sludge and municipal waste-water guidelines should support municipal water companies in investing in energy projects.** Otherwise, valuable energy potential would remain unused. This should also be considered when revising the Urban Waste-Water Treatment Directive since both the issues of energy and resource efficiency play a central role. Moreover, to ensure a level-playing field, **SGI Europe calls on the Commission to ensure that the new SSD will be technology neutral on the waste-water treatment technologies to foster an efficient circular economy** and effectively reduce emissions.

Lastly, the EU Commission must not lag behind national legislation on sewage sludge with the evaluation of the EU directive. **Local public utilities depend on a legal framework that provides them with investment and planning security.**

A supportive and harmonised approach to local sludge management

Since the adoption of the SSD took place over thirty years ago, national and local authorities have moved away from EU minimum rules by adopting their own requirements for sludge management, stricter than the Directive and with different approaches across regions.

Faced with uncertainty at national level, plant operators nevertheless have no choice but to dispose of the sludge. Moreover, they may need to look at different regions, or even countries, for receiving outlets, as there is often no regional opportunity. **Therefore, SGI Europe calls on the Commission to support local municipalities as they need both the EU and national support for incentives and help in creating improved utilisation and recycling possibilities at the local or regional level.**

Furthermore, increasing transport distances lead to more CO₂ emissions and create more pollutants such as microplastics, for example through tyre abrasion. For example, the ban on the use of sewage sludge and compost in “AMA”-quality label for milk, produced an increase in the transport distances for sewage sludge by many thousands of kilometers.

The example of Vorarlberg shows that sewage sludge from one company was composted and used in agriculture. From now on, the entire sewage sludge is transported to other federal states or to neighbouring countries. Therefore, **the demand for recycling as close as possible to the place of production should be underlined**. This affects more heavily rural and remote regions, with longer distances and where plants operators have lower in-house capacities. With the correct uniform framework in place, however, sludge may not need to be exported and can be kept as a local resource, disposed of and reused closest to where it is produced and in the most affordable manner. For a fair and well-functioning system across Europe, uniform and up-to-date quality standards to ensure the safety of sludge reuse are paramount, ensuring more trust in the final products, supporting local economies and providing legal certainty to plant operators.

Enabling the safe and sustainable use of sludge

High quality sludge can be safely spread onto land and agricultural fields. **Locally, this can be facilitated with quality assurance schemes and agreements between water operators and farmers to ensure high quality, safety, and mutual trust.**

At EU level, coordination with the Fertilisers Regulation would provide the opportunity for high quality sludge to obtain a science-based quality certification for fertilising purposes, hence ensuring its consideration as a resource throughout the EU.

In addition, when sludge does not meet quality standards for agriculture reuse, it is important to emphasise other existing opportunities, notably for construction materials or phosphorus recovery. **Enabling stable opportunities is ever more essential as new solutions require high investments.** The CEN/TC 308 standards and the establishment of QA systems, e.g., by ECN (European Compost Network) or EFAR (European Federation for Agricultural Recycling), have the potential to restore confidence in the recycling of sewage sludge and compost. To implement an objective discussion, the existing bans, made up by “marketing organisations” such as “Global G.A.P.” or “AMA” should be countered by QA systems, regarding their effect on food quality and the environment. Since quality assurance systems are based almost entirely on QA standards, it would be necessary to ensure that existing standards and QA systems for sewage sludge recycling are included in the QA of food producers/retailers instead of simply imposing bans.

Overall, in addition to the solutions and methods already in place, **there are a set of new opportunities and challenges for reuse and recovery solutions, that also need to be adapted to local conditions.** In practice, the deployment of new infrastructure in waste-water treatment plants takes time. If the technology already exists, such as incineration, it may take several years to be implemented, whilst solutions for which the technology yet has to be developed, it is about the long term. Moreover, once they have been installed, much more time is needed to realise alternative paths with higher efficiency, as plants have to be run over a long period of time (>20 years) in order not to interfere with long term financing plans.

For example, if there is a decision for a mono incineration plant and a chemical facility for P-recovery in a region it would take about five or more years to realise it. From now on the year 2030 can be considered to start the new plant. The plant must be operated for minimum 20 years to pay back the investment. Following these facts, the possibility to install alternative utilisation methods to mono incineration and chemical P-recovery, with less energy demand and additional recovery of organic matter and other nutrients, will arise

earliest in 2050 when the decision is taken in 2021 to ban the use of sludge on land. Sustainable solutions cannot rely on quick technological fixes.

Finally, **water treatment infrastructures are built with long-term perspectives –several decades –with high related investments.** Therefore, decisions regarding new solutions and requirements need to be compatible with the time necessary for research and technological deployment, as well as be sustainable for the future. Finally, whilst an approach to emerging pollutants is essential, its clear definition requires reliable measuring methods, which, scientists estimate, could become available within up to five years.