



Walter Wright, Jr.
wwright@mwlaw.com
(501) 688.8839

Reducing Risk from PFOA and PFOS in Biosolids: National Waste & Recycling Association Comments Addressing U.S. EPA Draft Guidance

10/16/2026

The National Waste & Recycling Association ("NWRA") submitted October 5th comments on a document the United States Environmental Protection Agency ("EPA") published on June 29th titled:

Draft Guidance for Reducing Risk from Perfluorooctanoic Acid (PFOA) and Perfluorooctane Sulfonic Acid (PFOS) in Biosolids ("Draft Guidance").

EPA stated in issuing the Draft Guidance that if finalized, it would provide:

- Recommendations that may be helpful to operators of wastewater treatment plants and related facilities, landowners and farmers, State and Tribal water agencies, and the public.
- Voluntary recommendations for potential ways to reduce potential risks posed by perfluorooctanoic acid ("PFOA") and perfluorooctane sulfonic acid ("PFOS") involving land application of biosolids.

The Draft Guidance addressed the Draft Risk Assessment that had been issued by EPA on January 14, 2025, by the Biden Administration. The Biden EPA document is described by the Draft Guidance as being aimed at understanding potential risks by PFOA and PFOS in sewage sludge.

The Trump Administration EPA states that it has since determined that the Draft Risk Assessment exhibited a number of flaws that have caused confusion among the public and the regulated community.

EPA sought comments on the Draft Guidance for 60 days following its publication in the July 6th Federal Register. See 91 Fed. Reg. 41020.

NWRA in its October 5th comments reference previous comments on the Draft Risk Assessment, which it states:

... emphasized the need for a risk-management framework to accompany the risk assessment, more representative exposure scenarios and data, appropriate context for modeled concentrations, and consideration of the practical limitations associated with alternative biosolids management pathways.

The Draft Guidance is stated to address several of NWRA's concerns, and the organization notes that it:

- Identifies potential risks toward evaluating how those risks can be managed in practice.
- Places greater emphasis on source identification and reduction.
- Provides additional context for interpreting the modeled scenarios evaluated in the 2025 Draft Risk Assessment.

Key suggestions put forth by NWRA include:

- Support a Practical, Risk-Based Approach to PFAS Management.
- Continue Advancing a Risk-Based and Risk-Management Framework.
- Evaluate Cross-Media and Lifecycle Implications of Biosolids Management Decisions.
- Prioritize Source Reduction and Recognize the Passive-Receiver Role of Landfills.
- Consider the Operational and Capacity Implications of Increased Biosolids Disposal at MSW Landfills.

The NWRA describes its organization as representing private-sector waste and recycling companies in the United States, as well as manufacturers and service providers that support the industry.

A copy of NWRA's comments can be found [here](#).