

# **DMM- Draft 7A / Biosolids Recycling in New York State – Interim Strategy to Address PFAS in Biosolids Products**

New York State Department of Environmental Conservation

## **DEC Program Policy**

<b>Issuing Authority:</b> Patrick Foster	<b>Title:</b> Deputy Commissioner for Environmental Remediation and Materials Management
<b>Date Issued:</b>	<b>Last Date Revised:</b> NEW

### **I. Summary**

On September 7, 2023, the Department of Environmental Conservation (DEC) issued Program Policy DMM-7/Biosolids Recycling in New York State – Interim Strategy for the Control of PFAS Compounds (DMM-7). DMM-7 requires all permitted 361-2 and 361-3 facilities that accept biosolids to sample each biosolids source (water resource recovery facility) and report the results to DEC. DMM-7 also sets interim concentration values for PFOA (perfluorooctanoic acid) and PFOS (perfluorooctane sulfonic acid).

This Program Policy expands on the requirements of DMM-7 to require sampling and analysis of soil products produced from biosolids (biosolids products), such as compost and heat dried products. Biosolids products may be produced by in-state facilities permitted under 6 NYCRR Subpart 361-3; NYSDEC may also approve in-state distribution of biosolids products that are generated outside the state.

This policy and DMM-7 will provide data for DEC to use in the development of a future rulemaking. The data will help DEC determine the impact the proposed PFAS standards in the rulemaking will have on New York State facilities.

### **II. Policy**

The technical standards applicable to the recycling of biosolids into products are found in 6 NYCRR Part 360, and Subpart 361-3. Control of the amount of PFAS in biosolids and biosolids products regulated under Part 361 is needed to limit the potential for the leachate generated from biosolids from impacting groundwater, the potential for crop uptake, and to protect human health and the environment. DEC is developing a rulemaking that will amend Part 361 to address PFAS in biosolids products. The data

obtained under DMM-7 and this Program Policy will assist DEC in the development of that rulemaking. The data will also help DEC determine if certain biosolids sources or products have PFAS concentrations that would indicate the need to address industrial sources in rulemaking.

This Program Policy will require the sampling and analysis of all biosolids products for PFAS compounds, for products generated in New York State or imported for use in the State. The analyses must be submitted to DEC and will be made available to the public.

### **III. Purpose and Background**

During treatment at a wastewater treatment plant, liquids are separated from solids. Those solids are then treated physically and chemically to produce a semisolid, nutrient-rich product known as biosolids. Biosolids that are to be beneficially used must meet federal and state requirements. Examples of beneficial use of biosolids include application to agricultural land and the production and use of compost or other products. Biosolids provide several benefits including nutrient addition, improved soil structure, and water reuse. Diverting organics, such as biosolids, from disposal at landfills also reduces climate impacts associated with methane emissions from landfills.

Biosolids can contain pollutants of concern if not properly controlled. Both federal and State standards are in place to address these concerns. EPA develops the pollutant standards used by New York State. In some cases, New York State may choose to impose standards that are stricter than those issued by EPA. EPA does not currently have any finalized risk assessments or regulations governing PFAS in recycled biosolids.

### **IV. Responsibility:**

DEC's Division of Materials Management (DMM) staff in central and regional offices are responsible for implementing the procedures established in this program policy, and for the review and update of this policy. Owners or operators of facilities that produce biosolids products and entities that bring biosolids products into New York State are responsible for the sampling and analysis requirements to meet the criteria in this Program Policy.

## **V. Procedure**

Within 90 days of the issuance of this policy, all currently permitted 361-3 facilities that accept biosolids, as well as facilities with approvals under Subpart 361-3.8 to distribute biosolids products from out of state sources, must sample the biosolids product for PFAS compounds and provide the samples to a New York State Department of Health (NYSDOH) certified laboratory. The results must be submitted to DEC upon receipt from the laboratory. DEC will publish the data received.

All samples must be collected in accordance with the sampling protocols outlined in Appendix B of the DEC guide “Sampling, Analysis, and Assessment of Per- and Polyfluoroalkyl Substances (PFAS), April 2023”

([https://www.dec.ny.gov/docs/remediation\\_hudson\\_pdf/pfassampanaly.pdf](https://www.dec.ny.gov/docs/remediation_hudson_pdf/pfassampanaly.pdf)). The required test method is Draft EPA Method 1633. The samples must be analyzed for all the PFAS compounds provided by the test method. Analytical results obtained in accordance with the protocol in this Program Policy dated within the 6 months before the issuance of this Policy can be submitted to DEC to fulfill the requirements of this Policy for the first annual reporting period. The number of analyses required is as follows:

Average Product Generated (cubic yards per day)	Number of Analyses
>50	4
5-50	3
<5	2
Out of State Generated Products	3

After the initial sampling event, all permitted 361-3 facilities that accept biosolids and out of state biosolids products must sample the product annually at the frequency outlined above and must provide those results to DEC.

This Program Policy shall remain in effect until it is rescinded.

## **VII. Related References**

6 NYCRR Part 360 Series, July 22, 2023

<https://dec.ny.gov/regulatory/regulations/chapter-iv>

***Short Environmental Assessment Form***  
***Part 1 - Project Information***

## **Instructions for Completing**

**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information		
Name of Action or Project:		
Program Policy DMM-7A: Testing of Biosolids Products for PFAS Compounds		
Project Location (describe, and attach a location map):		
Statewide		
Brief Description of Proposed Action:		
See attached for a brief description of the proposed action.		
Name of Applicant or Sponsor:		Telephone: 518-402-8678
NYSDEC Division of Materials Management		E-Mail: molly.trembley@dec.ny.gov
Address:		
625 Broadway, 9th floor		
City/PO: Albany		State: NY Zip Code: 12233-7253
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?		NO <input type="checkbox"/> YES <input checked="" type="checkbox"/>
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		<input type="checkbox"/> <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:		NO <input type="checkbox"/> YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ acres b. Total acreage to be physically disturbed? _____ acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres		
4. Check all land uses that occur on, are adjoining or near the proposed action:		
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland		

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:			
<input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?			
<input type="checkbox"/> NO <input type="checkbox"/> YES			
16. Is the project site located in the 100-year flood plan?			
<input type="checkbox"/> NO <input type="checkbox"/> YES			
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,			
<input type="checkbox"/> a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?			
If Yes, briefly describe:  <hr/> <hr/>			
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:  <hr/> <hr/>			
<input type="checkbox"/> NO <input type="checkbox"/> YES			
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:  <hr/> <hr/>			
<input type="checkbox"/> NO <input type="checkbox"/> YES			
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:  <hr/> <hr/>			
<input type="checkbox"/> NO <input type="checkbox"/> YES			
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>			
Applicant/sponsor/name: <u>NYSDEC Division of Materials Management</u> Date: <u>5/27/25</u>			
Signature: <u>Molly Trembley</u> Title: <u>Professional Engineer 2</u>			

***Short Environmental Assessment Form***  
***Part 1 – Project Information***

**Brief Description of Proposed Action:**

DMM-7A / Biosolids Recycling in New York State – Interim Strategy to Address PFAS in Biosolids Products explains the process and requirements for sampling biosolids products for PFAS compounds.

On September 7, 2023, DEC issued Program Policy DMM-7/Biosolids Recycling in New York State – Interim Strategy for the Control of PFAS Compounds (DMM-7). DMM-7 requires all permitted 361-2 and 361-3 facilities that accept biosolids to sample each biosolids source (water resource recovery facility) and report the results to DEC. DMM-7 also sets interim concentration values for PFOA (perfluorooctanoic acid) and PFOS (perfluorooctane sulfonic acid).

This Program Policy expands on the requirements of DMM-7 to require sampling and analysis of soil products produced from biosolids (biosolids products), such as compost and heat dried products. These products emanate from both facilities located in New York State that are permitted under 361-3 and biosolids products that are generated from facilities located outside New York State that are approved by DEC for use in New York State.

This policy and DMM-7 will provide data for DEC to use in the development of a future rulemaking. The data will help DEC determine the impact the proposed PFAS standards in the rulemaking will have on New York State facilities.

***Part 3 – Determination of Significance***

The Department did not identify any of the categories of impacts set out in EAF Part 2 as moderate to large.

This policy and DMM-7 will provide data for DEC to use in the development of the rulemaking, to determine the impact the proposed PFAS standards in the rulemaking will have on New York State facilities.

Implementation of this guidance will result in no potentially significant adverse environmental impacts.

***Short Environmental Assessment Form***  
***Part 2 - Impact Assessment***

**Part 2 is to be completed by the Lead Agency.**

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

***Short Environmental Assessment Form***  
***Part 3 Determination of Significance***

For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

See Attachment

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.		
<input checked="" type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.		
NYSDEC - DMM		5/27/25	
Name of Lead Agency		Date	
Molly Trembley		Professional Engineer 2	
Print or Type Name of Responsible Officer in Lead Agency		Title of Responsible Officer	
<u>Molly Trembley</u>			
Signature of Responsible Officer in Lead Agency		Signature of Preparer (if different from Responsible Officer)	
<u> </u>		<u> </u>	

NEW YORK STATE DEPARTMENT OF STATE  
COASTAL MANAGEMENT PROGRAM

Coastal Assessment Form  
For DOS State Agency Consistency Purposes Only

A. INSTRUCTIONS (Please print or type all answers)

1. State agencies shall complete this CAF for proposed actions which are subject to Part 600 of Title 19 of the NYCRR. This assessment is intended to supplement other information used by a state agency in making a determination of significance pursuant to the State Environmental Quality Review Act (see 6 NYCRR, Part 617). If it is determined that a proposed action will not have a significant effect on the environment, this assessment is intended to assist a state agency in complying with the certification requirements of 19 NYCRR Section 600.4.
2. If any question in Section C on this form is answered "yes", then the proposed action may affect the achievement of the coastal policies contained in Article 42 of the Executive Law. Thus, the action should be analyzed in more detail and, if necessary, modified prior to either (a) making a certification of consistency pursuant to 19 NYCRR Part 600 or, (b) making the findings required under SEQRA, 6 NYCRR, Section 617.11, if the action is one for which an environmental impact statement is being prepared. If an action cannot be certified as consistent with the coastal policies, it shall not be undertaken.
3. Before answering the questions in Section C, the preparer of this form should review the coastal policies contained in 19 NYCRR Section 600.5. A proposed action should be evaluated as to its significant beneficial and adverse effects upon the coastal area.

B. DESCRIPTION OF PROPOSED ACTION

1. Type of state agency action (check appropriate response):

(a) Directly undertaken (e.g. capital construction, planning activity, agency regulation, land transaction)  X  
(b) Financial assistance (e.g. grant, loan, subsidy) \_\_\_\_\_  
(c) Permit, license, certification \_\_\_\_\_

2. Describe nature and extent of action: This proposed program policy is being established to provide guidance to program staff, stakeholders, and the regulated community regarding biosolids recycling and the testing of biosolids products for PFAS compounds. It is an extension of the existing Program Policy DMM 7.

3. Location of action:

Statewide \_\_\_\_\_ County \_\_\_\_\_ City, Town or Village \_\_\_\_\_ Street or Site Description \_\_\_\_\_

4. If an application for the proposed action has been filed with the state agency, the following information shall be provided:

(a) Name of applicant \_\_\_\_\_  
(b) Mailing address \_\_\_\_\_  
(c) Telephone Number: Area Code ( ) \_\_\_\_\_  
(d) State agency application number \_\_\_\_\_

5. Will the action be directly undertaken, require funding, or approval by a federal agency?

Yes \_\_\_\_\_ No  X If yes, which federal agency? \_\_\_\_\_

C. COASTAL ASSESSMENT (Check either "YES" or "NO" for each of the following questions)

YES  NO

1. Will the proposed activity be located in, or contiguous to, or have a significant effect upon any of the resource areas identified on the coastal area map:

(a) Significant fish or wildlife habitats? .....  X  
(b) Scenic resources of statewide significance? .....  X  
(c) Important agricultural lands? .....  X

2. Will the proposed activity have a significant effect upon:

(a) Commercial or recreational use of fish and wildlife resources? .....  X  
(b) Scenic quality of the coastal environment? .....  X  
(c) Development of future, or existing water dependent uses? .....  X  
(d) Operation of the State's major ports? .....  X  
(e) Land and water uses within the State's small harbors? .....  X  
(f) Existing or potential public recreation opportunities? .....  X  
(g) Structures, sites or districts of historic, archeological or cultural significance to the State or nation? .....  X

3. Will the proposed activity involve or result in any of the following:

(a) Physical alteration of two (2) acres or more of land along the shoreline, land under water or

Enter (1) or (2):

1. The proposed activity will not substantially hinder the achievement of any State coastal policy or LWRP policy or purpose and, whenever practicable, will advance State coastal policies - or the policies and purposes of the applicable LWRP.
2. The proposed activity will substantially hinder the achievement of a State coastal policy or LWRP policy or purpose, but no reasonable alternatives exist, the activity minimizes all adverse effects, the activity advances on or more other policies or policies of an LWRP, and will result in an overriding regional or statewide benefit.

Enter summary analysis of the consistency of the activity with the applicable State coastal policies or LWRP policies and purposes:

N/A

**F. SUBMISSION REQUIREMENTS**

If any question in Section C is answered "Yes", AND either of the following two conditions is met:

Section B.1(a) or B.1(b) is checked; or  
Section B.1(c) is checked AND B.5 is answered "Yes",

THEN a copy of this completed Coastal Assessment Form shall be kept in the applicable DOS file record, and in the Division consistency files

N/A

**G. REMARKS OR ADDITIONAL INFORMATION**

None

Preparer's Name: \_\_\_\_\_ Molly Trembley \_\_\_\_\_ Telephone Number: (518) 402-8678

Title: Professional Engineer 2

Agency: NYS Dept. of Environmental Conservation  
Division of Materials Management

Date: May 27, 2025

An official website of New York State.  
[Here's how you know](#)

 [<https://ny.gov>](https://ny.gov)

**NEW YORK STATE** [MANAGEMENT](#) [MANAGEMENT](#)

Department of Environmental Conservation To Do Things Places to Go Nature Environmental Protection Regulatory News Get Involved About

Search

## Biosolids Management

**Draft DMM Policy 7a now available for public comment. Comments on the proposed program policy will be accepted through January 9, 2026.**

Biosolids, sometimes referred to as sewage sludge, are the solid or semi-solid organic materials resulting from the treatment of wastewater carried through sewer lines from homes and businesses. Following treatment, the liquid effluent is typically discharged to a nearby receiving water (e.g., a stream or river), while the biosolids are removed from the treatment plant for beneficial use or disposal.

## Recycling Biosolids

Biosolids are nutrient-rich organic materials that can be recycled and utilized as a soil amendment here in New York State when properly treated and processed. Biosolids treatment and quality standards have been developed to promote the safe use of this material. Public health and the environment are protected by controlling pollutant limits and reducing the pathogenic content of the material that is beneficially used.

### Biosolids Recycling Regulations

The primary **New York State regulations** [governing the beneficial use of biosolids](#) are found in 6 NYCRR Part 361, *Materials Recovery Facilities*, in the following Subparts:

- 361-2 Land Application and Associated Storage Facilities
- 361-3 Composting and Other Organics Recycling Facilities

Prior to construction and operation, facilities recycling biosolids must apply for a Part 361 permit. Once operating, facilities are required to report annually to the department.

The primary **federal regulations**, implemented by the Environmental Protection Agency <https://www.epa.gov/biosolids> (link leaves DEC's website), governing the management practices and final use of biosolids are found in 40 CFR Part 503, *Standards for the Use or Disposal of Sewage Sludge*.

### Ways to beneficially reuse biosolids

- Direct land application - The placement of biosolids on or in to the soil to benefit the crop grown and the soil present, and in some cases for land reclamation.
- Composting - The aerobic decomposition of biosolids using controlled temperature, moisture, and oxygen levels to achieve a humus-like material for landscaping or enhancing soil.
- Heat drying or pelletization - A treatment process in which almost all water is removed (typically to over 90% solids content) from the biosolids by exposure to a heat source. The product is typically used directly as a fertilizer or blended with another material.
- Chemical stabilization - A process in which chemicals are mixed with biosolids, which react, generate heat, and increase the pH of the material. The resultant product is often used as a lime substitute in agriculture.

### Other biosolids management methods

- Landfilling - The disposal of biosolids at municipal waste landfills <[environmental-protection/waste-management/solid-waste-management-facilities/landfill-types](https://dec.ny.gov/environmental-protection/waste-management/solid-waste-management-facilities/landfill-types)> as well as monofills (sludge-only landfills). Engineered landfills are lined, have groundwater monitoring capabilities, and comply with other regulatory design and operational criteria.
- Incineration - The firing of biosolids at high temperatures in an enclosed device. The resultant ash must be properly disposed of.
- Long term storage - Storage in containers, tanks, lagoons, and treatment beds are common at smaller treatment plants.

## Program Policy 7 - Biosolids Recycling in New York State - Interim Strategy for the Control of PFAS Compounds

Adopted September 7, 2023, Effective October 20, 2023. Materials Management Program Policy 7 - Biosolids Recycling in New York State - Interim Strategy for the Control of PFAS Compounds (DMM7) establishes interim PFOS and PFOA criteria for biosolids that are recycled in New York State and actions that will be taken by DEC based on those results. This interim policy will remain in place until EPA issues risk-based standards applicable to biosolids that will be recycled, and DEC completes a rulemaking to incorporate those standards, or more stringent standards if deemed appropriate.

- DMM Program Policy 7 (PDF) <[https://dec.ny.gov/docs/materials\\_minerals\\_pdf/dmm7.pdf](https://dec.ny.gov/docs/materials_minerals_pdf/dmm7.pdf)>
- Supporting Documentation (PDF) <[https://dec.ny.gov/docs/materials\\_minerals\\_pdf/dmm7supportingdoc.pdf](https://dec.ny.gov/docs/materials_minerals_pdf/dmm7supportingdoc.pdf)>
- SEQR Documentation (PDF) <[https://dec.ny.gov/docs/materials\\_minerals\\_pdf/dmm7seqr.pdf](https://dec.ny.gov/docs/materials_minerals_pdf/dmm7seqr.pdf)>

## Draft Program Policy 7a - Biosolids Recycling in New York State - Interim Strategy to Address PFAS in Biosolids Products

Draft Materials Management Program Policy 7a – Biosolids Recycling in New York State – Interim Strategy to Address PFAS in Biosolids Products expands on the requirements of DMM-7 to require sampling and analysis of soil products produced from biosolids (biosolids products), such as compost and heat dried products. Biosolids products may be produced by in-state facilities permitted under 6 NYCRR Subpart 361-3; NYSDEC may also approve in-state distribution of biosolids products that are generated outside the state.

This policy and DMM-7 will provide data for DEC to use in the development of a future rulemaking. The data will help DEC determine the impact the proposed PFAS standards in the rulemaking will have on New York State facilities.

This interim policy will remain in place until DEC completes a rulemaking to address PFAS in biosolids and biosolids products that are recycled.

### Public Comment Period

Comments on the proposed program policy can be submitted to [biosolids@dec.ny.gov](mailto:biosolids@dec.ny.gov) and will be accepted through January 9, 2026.

- Draft DMM Program Policy 7a (PDF, 168 KB) <[https://dec.ny.gov/sites/default/files/2025-12/draftdmm7a\\_1.pdf](https://dec.ny.gov/sites/default/files/2025-12/draftdmm7a_1.pdf)>
- Supporting Documentation (PDF, 1 MB) <<https://dec.ny.gov/sites/default/files/2025-12/draftdmm7asupportingdocs.pdf>>

## Biosolids Management in New York State

As of 2015, there were 612 publicly owned treatment works (POTWs) that generate biosolids in NYS, accounting for approximately 2,400 million gallons per day in actual operating volume at the plants. The total biosolids generation rate is approximately 375,000 dry tons (dt) annually.

As of 2015, landfilling continues to be the most popular biosolids management method, with an estimated 68% of biosolids produced annually going to solid waste landfills. Beneficial use, through methods such as land application, composting, heat drying, and mine reclamation, comprises 16% of biosolids produced annually. Additionally, incineration is used to treat 16%, and other management methods (e.g., lagooning, stockpiling, etc.) are used for less than 1% of the total biosolids produced annually.

Biosolids management practices have changed over the last 30 years. Trends show a steady increase in the use of landfills for biosolids disposal. This is primarily due to relatively low tipping fees in the state and the limited infrastructure required to send biosolids to a landfill. More information can be found in the report *Biosolids Management in New York State* (PDF, 833KB) <[https://dec.ny.gov/docs/materials\\_minerals\\_pdf/bsmgmt2015.pdf](https://dec.ny.gov/docs/materials_minerals_pdf/bsmgmt2015.pdf)>, published in 2018.

## Important Links

 **Organics Recycling Facilities and Regulations** <<https://dec.ny.gov/environmental-protection/recycling-composting/organic-materials-management/facilities-regulations>>

 **Report - Biosolids Management in New York State** <</sites/default/files/2024-03/bsmgmt2015.pdf>>

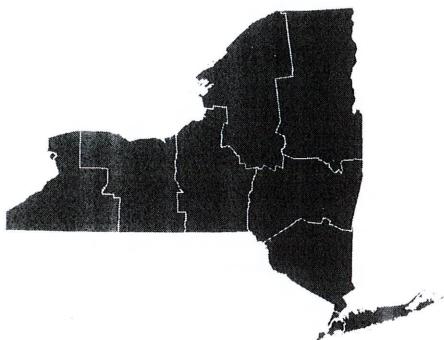
### Contact for this Page

DMM, Bureau of Waste Reduction and Recycling  
625 Broadway  
Albany, NY 12233-7253

**Phone:** 518-402-8706  
[OrganicRecycling@dec.ny.gov](mailto:OrganicRecycling@dec.ny.gov)

### This Page Covers

New York State



### Department of Environmental Conservation </>

#### Quick Links

[About DEC](#) </about>

[Hunting & Fishing Licenses](#) </regulatory/permits-licenses/sporting-and-use/sporting/decal>

[DECinfo Locator](#) </maps/interactive-maps/decinfo-locator>

[Events Calendar](#) </get-involved/events>

[Press Releases](#) </news/press-releases>

[Employment](#) </about/employment>

[Apply for a Grant](#) </get-involved/grant-applications>