Collection Systems –
Government Affairs Update
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Key Regulatory Developments

• New Water Quality Standards
• Phosphorus Limits
• Integrated Planning
• Green Infrastructure
• Blending
• Separate-Discharge and Remote Units
• CSO Notification Requirements
New Water Quality Standards

- Ammonia – EPA issued, not yet adopted in IL
- Selenium – EPA will issue final in June, with draft implementation guidance
- Chloride – EPA working on, draft in 2016
- Aluminum – EPA working on, draft in 2016
- Conductivity – EPA working on national guidance, expected in first half of 2016
Phosphorus Limits

• IEPA following Nutrient Strategy – 1.0 mg/l limit for POTWs in watershed groups or if there is downstream algae/DO impairment
• NGOs filing comments arguing for limits for all majors, preferably at level of 0.2 mg/l
• MWRD permits included 1.0 limit – NGOs appealed, dismissed by PCB, but court ruled for NGOs and remanded to PCB
Integrated Planning

• EPA Integrated Planning Framework guidance allows municipality to develop plan that addressed multiple regulatory obligations
• Has been used to set priorities, justify longer compliance schedules, and change control levels
• Has been used primarily in connection with CSO LTCPs, but not limited to CSO situations
• Can fold in asset management costs, to be considered in determining overall affordability of control measures
• Examples: Lima (OH), Evansville (IN), Springfield (MA)
Green Infrastructure

• EPA has adopted policies encouraging GI use
• BUT in approving LTCPs and consent decrees, EPA enforcement often insists on stringent requirements that discourage use of GI
• Some cities have obtained flexible provisions for targeted GI projects – schedule changes
• Several pending municipal proposals that would expand use of GI and serve as models
Blending

• If secondary effluent and peak wet-weather flow are combined before discharge, USEPA and IEPA now agree that POTW does NOT have to do No Feasible Alternative demonstration, and secondary treatment limits (30/30 and 85% removal) must be met at combined discharge
Separate-Discharge and Remote Units

• For peak wet-weather flow that discharges through separate outfall from secondary effluent outfall, IEPA requires each outfall to meet 30/30, but 85% removal met across the plant

• For peak-wet weather flow from remote units, the outfall from that unit must meet 30/30 and 85% removal by itself

• IAWA and several members have challenged permit provisions, and a meeting is being scheduled with USEPA and IEPA to discuss
CSO Notification Requirements

• After Sen. Kirk proposed new law restricting CSO discharges to Great Lakes, that proposal was pulled and compromise provision enacted instead
• That law requires EPA to issue new requirements as to CSO discharges into Lakes (which apparently apply to whole watershed)
• Requirements will be issued by Dec. 2017
• Could require monitoring and reporting of all CSO discharges, as well as plans to ensure that CSOs do not recur – not clear what that means
• While the law applies only to dischargers to Great Lakes, EPA is also thinking about whether to expand nationally
Questions?

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