



Collection Systems – Government Affairs Update

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June 9, 2016

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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