



EPA Prepares to Survey POTWs on Nutrient Removal March 2018

EPA is finally moving forward with the first stage of its nutrient study, a voluntary questionnaire that will be sent to approximately 17,000 POTWs across the U.S. this spring. On December 29, 2017, EPA issued a Federal Register Notice opening a public comment period on an Information Collection Request (ICR).

In general, the 2018 draft questionnaire includes 27 questions and an option for providing notes and comments regarding the data provided. Much like the 2016 draft questionnaire, the 2018 version includes questions on facility characteristics (i.e., location, size, influent sources), processes and treatment technologies, and, if a facility monitors nutrient concentrations, the average concentrations at various locations in the treatment works.

Once EPA has completed the survey, it will identify POTWs with secondary treatment that are achieving “significant” nutrient removal. EPA will collect data from those POTWs, with a goal of documenting “the capability of different types of POTWs to reduce nutrient discharges by implementing changes to operations and maintenance, but without retrofitting to biological nutrient removal (BNR), making chemical additions, or committing to extensive capital investments.” EPA expects the full study to take four to five years.

EPA first expressed an interest in surveying wastewater plants in 2016. On September 19, 2016, EPA issued a Federal Register Notice soliciting public comments regarding a draft screener questionnaire that it proposed to send to POTWs using CWA Section 308 information request letters. In the Supporting Statement, EPA characterized the questionnaire as a mandatory “census of the wastewater treatment and/or water resource recovery industry.”

Based on public comments received in response to the 2016 Notice, EPA has decided to move forward with a voluntary questionnaire. This means EPA will not use its CWA Section 308 authority to force wastewater plants to complete the survey. EPA suggests that completing the survey will take approximately 3.3 hours, although POTWs across the U.S. were largely unable to complete the 2016 survey in the estimated time.

VAMWA has a strong interest in EPA’s questionnaire because it could lead to reconsideration of the secondary treatment standard defining certain permit limits expressed on a monthly/weekly basis, which is a concern for nutrient removal facilities in light of seasonal performance variations. Environmental groups have mounted repeated efforts in years past to reopen the secondary treatment standard for POTWs to add a technology-based standard for nutrients. In 2012, EPA rejected these rulemaking petitions, citing insufficient data regarding the incidental removal of nutrients from secondary treatment. The study will eliminate this basis as a ground for rejecting future



rulemaking petitions, and could embolden environmental groups to renew their efforts to reopen the standard.