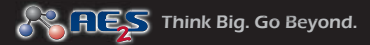


# The Update

February 2011



## Lead Reduction in Drinking Water

**O**n January 5, 2011, a bill to amend the Safe Drinking Water Act to reduce the amount of lead in drinking water was signed into law. The new law redefines "lead-free" as it applies to wetted surfaces of pipes, pipe fittings, plumbing fittings, and plumbing fixtures from eight percent to 0.25 percent and down to 0.2 percent for solder and flux.

The bill was originally part of the Assistance, Quality, and Affordability Act of 2010 (AQUA Act of 2010), which was not passed in the last session of Congress. Therefore, a stand-alone bill was introduced as Senate Bill 3874 in late September. The amendment included in the bill becomes effective 36 months after enactment. To read the bill, please visit <http://www.govtrack.us/congress/bill.xpd?bill=s111-3874> or contact AE2S for more information. To read a statement released by the American Water Works Association (AWWA) regarding the bill, please visit <http://www.awwa.org/publications/StreamlinesArticle.cfm?itemnumber=56014>. ■

## AWWA/WEF Fly-In

**F**or the first time, the AWWA and the Water Environment Federation (WEF) will be joining forces for the 2011 Water Matters! Fly-In to be held April 4 - 5 in Washington, D.C. There are a number of issues

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**I**n the arena of wastewater treatment, Total Maximum Daily Load (TMDL) is no longer a term that is new and unfamiliar. Across the United States (US), regulatory agencies are at various stages of identifying, developing, and implementing TMDLs, with the north central US being no exception. Due to a

## What Do Total Maximum Daily Loads Mean to You?

wide range of water quality conditions throughout the US and within our service region, the impacts of TMDL development on wastewater treatment facilities are dramatically different.

A TMDL document must be completed for waters that have been listed as impaired and are included on the US Environmental Protection Agency (USEPA) 303(d) list. A completed TMDL outlines which impairments a waterbody faces (i.e., sediment, metals, temperature, dissolved oxygen, bacteria, and nutrients) and the designated uses that are impacted (i.e., agriculture, drinking water, recreation, fish and wildlife, etc.). It also identifies the anticipated source of the pollutants within the watershed and goals or targets for reducing the pollutant levels to acceptable water quality standards. The source could be from any number of regulated discharges (point sources) or un-regulated discharges (non-point sources), and each source has an established waste load allocation (WLA).

If you own and operate a wastewater treatment facility in a watershed where a TMDL has been approved, you are likely well into the process of determining the impacts to your system. In most cases, regulatory agencies utilize WLAs as guidance for imposing permit limits associated with water quality standards. These limits are typically established as in-stream standards, taking into account mixing zones and dilution factors for a specific discharge condition. As a result, facilities that are primary contributors of discharge flows to a waterbody that is unable to handle elevated levels of pollutants are often facing significant improvements to meet revised permit limits. If you own and operate a wastewater treatment facility in a region where TMDL development is in progress, you are likely still wondering what it means to you. The challenge is that it means something different to each system.

**A Total Maximum Daily Load (TMDL) is a regulatory mechanism established by the Clean Water Act (CWA) referring to the maximum amount of a pollutant that can be found in a water body before designated uses are compromised.**

Current trends in the US regarding implementation of TMDLs have varied significantly from region to region of USEPA jurisdiction. In Chesapeake Bay, where an active TMDL implementation process has been underway for years, USEPA recently imposed an aggressive pollution reduction program with "rigorous accountability, enhanced oversight, and contingency actions" aimed at accomplishing basin-wide water quality objectives by 2025. In Florida, the USEPA has chosen to implement numeric nutrient standards (as opposed to

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*(AWWA Fly-In from first page)*

*that apply to both drinking water and clean water, such as infrastructure investment, security, and funding. Combining efforts will help with coordination of these issues and strengthen the voice of the entire water community.*

*The two-day event begins with briefings and discussions of current issues, followed by meetings with members of Congress. The deadline to register for the event is February 17th. For more information please visit <http://tinyurl.com/65zj48k> or <http://www.wef.org/governmentaffairs/default.aspx> or contact AE2S. ■*

*(Total Maximum Daily Loads from first page)*

narrative) in an effort to simplify compliance efforts and regulatory oversight programs in regards to nutrient-related TMDLs. In most regions, USEPA has placed focus on point source regulatory compliance, with non-point source voluntary compliance through incentive programs. Similarly, surface water discharge permits are increasingly difficult to obtain. They are perhaps even more difficult to modify, in cases where growth dictates higher wastewater flows, due to the allocation of all pollutant level loads to existing point and non-point discharges. These conditions have led to nutrient trading programs or point source implementation of non-point source improvements to obtain nutrient credits. In other cases, utilities have searched for ways to “get out of the watershed”, via reclaimed water facilities, spray irrigation, diversion of flows to industrial entities, etc.

Recognizing that compliance takes both time and money, many regions are also considering variance policies. Variances consider economic factors, technology limits, nutrient trading programs, and step-wise plans for achieving compliance over time. TMDL compliance is a high priority for regulatory agencies, and permit holders are having to adopt watershed management practices that have not traditionally been the responsibility of a point source discharger.

To find the most up-to-date information in your particular state, visit:

North Dakota: [http://www.ndhealth.gov/WQ/SW/Z2\\_TMDL/](http://www.ndhealth.gov/WQ/SW/Z2_TMDL/)

Minnesota: <http://tinyurl.com/4eh15sn>

South Dakota: <http://denr.sd.gov/des/sw/tmdl.aspx>

Montana: <http://deq.mt.gov/wqinfo/TMDL/TPAmap.mcp>

Wyoming: <http://tinyurl.com/5rkbt6e>

For more information or assistance in determining what a TMDL may mean to your utility, contact [Scott.Schaefer@ae2s.com](mailto:Scott.Schaefer@ae2s.com) or [Judel.Buls@ae2s.com](mailto:Judel.Buls@ae2s.com). ■

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