

EPA's ONLINE NUTRIENT SURVEY

Background

- EPA has been planning survey for over 3 years
- Original idea was to use EPA authority under CWA section 308 to make survey mandatory
- NACWA lobbied hard, the survey is now voluntary
- Survey posted online Oct 22nd, due Nov 26th
- Survey to use calendar year 2018 data

Purpose

- EPA has limited knowledge of POTW's ability to deal with nutrients
- Online screener survey will provide valuable information, envisioned to be the first part of a multi-year study on nutrients
- Ultimate goal is protection of beneficial uses of nation's waters

EPA's Goals

- Establish a nation-wide database on ability to reduce nutrients through optimization
- Help set more realistic targets for nutrient reductions
- Focus on plants not specifically designed for nutrient reductions (i.e. non-BNR plants)
- Collect data on technology challenges

- Encourage performance with less expense
- Provide forum for stakeholders to share best practices
- Provide performance from POTWs who have been successful in optimizing existing processes
- Assist plants who have limited resources and expertise

Concerns Raised by NACWA

- How will data be used?
- Will data be safe?
- What is the burden on utilities to complete survey?
- Must all survey questions be answered?
- Is DMR 40 CFR 136 quality data required?
- Will completing the screener survey oblige a plant to participate in subsequent efforts by EPA?
- Any implications for not completing a survey?

NACWA's Dialogue with EPA

- Data will not be used for enforcement
- Survey requests ranges of data not exact numbers so QA data is not absolutely necessary, 40 CFR 136 data quality may be required on future efforts focused on drilling down on specific processes
- Results will be publicly available but not attributed to individual agencies
- Not all questions must be answered in order to submit survey. Can opt out of providing effluent data, some

questions are voluntary, can skip many of the questions if no answer available

- EPA estimates 3.3 hours to complete survey
- Plants with population <750 or < 1 mgd do not need to complete survey
- No special monitoring is being requested to complete survey
- In order to have robust data set, EPA is requesting survey be completed by all types of plants including those that have very unique processes, helps to demonstrate that one size does not fit all
- Due to the voluntary nature, participation in the screener survey will probably not oblige a plant to participate in future efforts
- EPA has not indicated any implications for not submitting a survey

Lingering Concerns

- Data will be easy to access (perhaps by NGOs) vs. the digging that might be required to mine the data using huge existing electron reporting databases. FOIA requests would result in disclosure of data from a specific plant.
- In 2007 NRDC petitioned EPA to include nutrient limits as part of secondary treatment standards. EPA denied petition because they didn't have the data to back-up what was technically feasible for nutrient reductions from existing secondary plants. New data could fuel another

NRDC petition or EPA reexamining the basis for secondary treatment.

- Nutrients are complicated, not like conservative pollutants such as copper. Its not clear the impact of nutrients on designated uses of various individual water bodies. Management of nutrients demands site specific assessments
- Optimization often requires use of excess capacity. Fear of use of backsliding regulations such that once the capacity is devoted to nutrient reduction, it cannot be regained.
- Survey continues the focus on point sources rather than the larger impact from non-point sources
- EPA water sector needs to collaborate with wastewater sector on conflicting regulations (e.g. Lead and Copper Rule suggest adding ortho-P to water supply to reduce lead and coper concentrations)

Next Steps

- Survey due Nov 26th, can only complete online
- Each plant needs to evaluate pros and cons of completing the survey, recognizing EPA has authority to make it mandatory
- If completing the survey, providing good data is essential as conclusion will be drawn by EPA that will influence further activities by EPA to address the nation's nutrient issues