

NUTRIENT REGULATION IN ILLINOIS

Illinois Association of Wastewater
Agencies

IAWA Background

- Voice of wastewater agencies in Illinois
- Membership includes 54 agencies serving 8.6 million people, 75% of population with centralized wastewater treatment in Illinois
- Technical committees track topics affecting POTWs
- Nutrient committee has tracked and attended nutrient workgroup activities since the beginning

Current Rules

- Effluent P limit 1.0 mg/l for lakes
- Interim effluent P limit 1.0 mg/l for expansions and new POTWs on streams
 - IAWA contested the rule-making
 - Testimony did not provide scientific support
- Amm-N WQ standards – pH, temperature dependent

Other Program Aspects

- 303d. listing procedures in Illinois do not fit with TMDL program
- Streams 'listed' with 'nutrients' as cause are labeled without rigorous assessment
- Nutrient impairments in Illinois have never been accurately reflected in 303d. list
- Monitoring and assessment can be adjusted to support nutrient standard development and implementation

Illinois Nutrient Workgroup Participation

- Open, objective process
- Extensive academic work conducted and vetted - CFAR
- Certain types of streams identified with potential to benefit from nutrient standards
- IAWA supportive of development of scientifically derived standards for these stream types

IAWA Position on Nutrients

- Cause and affect relationship must be clearly identifiable – Statewide blanket approach does not fit per CFAR work
- Greenhouse gas emissions could be impacted on a large enough scale to require re-calibration of clean-air programs
- Sound public policy dictates that heavy costs in regulatory work (TMDLs, UAAs) and in treatment technology need to be justified with tangible benefits

IAWA Position on Nutrients (contd)

- Where standards are appropriate, a holistic approach is necessary, including trading, wetland sequestering, non-point source management, and consideration of affordable point-source technology (BNR)
- Any rule must explicitly recognize implementation challenges, including affordability and compliance schedules

IAWA Position on Nutrients (contd)

- Any effluent standards need to be applied with the longest-term averaging available that supports stream use goals, in order to improve the viability of point source treatment technology
- Any new rule needs to delete the interim phosphorus standard and associated anti-degradation and anti-backsliding for POTWs caught under the interim standard

IAWA Position on Nutrients (contd)

- Standards should be applicable when both the stream DO and habitat conditions indicate that P limits will benefit the stream. IAWA shared this approach with the nutrient workgroup in 2008.