March 9, 2011

US Environmental Protection Agency
Improving Regulations Docket
Washington, DC 20460

Submitted via email to: ImprovingRegulations.SuggestionBox@epa.gov

RE: Docket ID No. EPA-HQ-OA-2011-0154: Improving Regulations: Water: WEF Comments

General

The Water Environment Federation [WEF][1] encourages EPA when considering any revised or new regulation under the Clean Water Act to address the following basic points in all such regulations:

Watershed Planning and Management

WEF supports the watershed approach of protecting and restoring water quality. The watershed approach stems from the knowledge that all ecosystems are linked together. Watershed management is a method of decision making to protect and sustain all natural resources - uplands, wetlands, surface water, and ground water - affecting water quality within common, hydrologically defined geographic areas. The approach includes all citizens of a watershed in establishing priorities and developing plans for water protection in that region. Local government agencies, businesses, and residents in a watershed should participate in setting regional environmental priorities, aiming for the highest practicable degree of water quality improvement. Inclusion of concerned parties in a successful watershed program demands comprehensive public education on protecting and enhancing watersheds.

Priority Setting

WEF supports a priority setting process allowing State and local governments and watershed managers enhanced flexibility in scheduling and standard-setting within the context of economic, technical, and social capabilities.

A priority setting framework must support water quality managers in using appropriate data and tools, promoting inclusive resource protection, conducting economic and risk analyses, considering cross-media impacts, and accounting for regional growth. Water quality priorities and solutions must be established regionally to best address water quality impairment from local and outside sources. The general public should collaborate in priority setting with engineers, scientists, and other experts to ensure long-term support for and implementation of water quality programs. Priorities should be set to expand water recycling and to protect natural resources.

[1]Formed in 1928, the Water Environment Federation® (WEF®) is a not-for-profit technical and educational organization with 36,000 individual members and 75 affiliated Member Associations representing water quality professionals around the world. WEF and its Member Associations proudly work to achieve our mission of preserving and enhancing the global water environment®.

Improving Water Quality Through Sound Science

WEF supports the use of sound scientific information in all programs dedicated to solving complex water quality issues. The benefits of water quality protection are maximized when all components of such initiatives have a sound scientific basis and a clear rationale. New water resource efforts and restructured water quality initiatives should be supported by the most comprehensive and current scientific information and assessments. Goals, standards, and strategies should be evaluated regularly to incorporate the most recent scientific information and analyses. Scientific knowledge should be used to protect the environment and to develop a sustainable balance of natural resources. Water quality protection efforts must promote problem resolution and enhance pollution prevention.

Achieving Sustainability

EPA regulations should formally incorporate sustainability and embrace actions that move water management towards sustainable approaches, including provisions to encourage installation of green infrastructure, water reuse and conservation, energy recovery, and management of storm water as a resource. Further, as applicable, projects and programs should be required to assess associated lifecycle greenhouse gas emissions and triple bottom line (environmental, economic and social) benefits.

<u>Comments on Specific Regulations</u>

Improving Wet Weather Regulation

In order to assist municipal utilities and NPDES permitting authorities accomplish their missions in an economical and environmentally responsible manner, WEF believes that the EPA must develop a comprehensive regulatory strategy that allows municipalities to manage wet weather flows in a holistic manner. EPA's strategy should be based upon the wet weather management principles and guidance practices described in the following management tools:

- WEF's "Guide to Managing Peak Wet Weather Flows in Municipal Wastewater Collection and Treatment Systems". Developed in 2006, the Guide was made possible by a Water Quality Cooperative Agreement between EPA and WEF. The Guide outlines an approach for analysis of wastewater flow collection and treatment during wet weather conditions, development of sound and effective practices for municipal facility planning, and design and operation for optimum management of wet weather flows. The Guide provides a risk-based method for WWTPs to be more proactive in planning for wet weather flows and describes a process that can be used to build support for real-world solutions that effectively use resources to improve water quality.

- WEF/NACWA's "Core Attributes of Effectively Managed Collection Systems". In the absence of clear federal guidance, the Partner Organizations WEF and the National Association of Clean Water Agencies (NACWA) with technical reviews by the American Public Works Association (APWA) and the American Society of Civil Engineers (ASCE) have developed these baseline attributes as fundamental elements in the effective management of sanitary sewer collection

systems. These core attributes are intended to provide guidance for wastewater agency collection system managers to evaluate their existing programs and confirm they are performing in both dry and wet weather conditions according to industry-established best management practices, or have practices that are lacking and need enhancement.

Addressing wet weather discharges in a holistic manner following the Guide can provide for greater efficiency, more comprehensive planning, and less redundancy among permitting requirements. Non-traditional approaches may be required to address the challenges posed by wet weather discharges. Such challenges must be addressed on several fronts:

--Ensuring that the existing framework of regulation and policy is fully implemented for those discharges covered by existing programs.

--Adjusting the existing regulation and policy framework to reflect the difficult decisions municipalities face in controlling episodic, variable, and largely unpredictable wet weather sources

--Supporting flexible decision-making at the state and regional board level to achieve watershed objectives in the most cost-effective manner;

--Establishing Water Quality as a leading parameter when requiring agencies to establish compliance measures; and

--Providing flexibility and time to apply tools that focus on sustainable practices, green infrastructure and pollution prevention.

Given the many similarities and requirements among wet weather control programs, and the fact that these programs are all impacting WWTPs, recognition of these similarities should be addressed in a positive manner using the proposed framework described above within the existing NPDES program.

Protecting Water Resources and Infrastructure from the Impacts of Climate Change

Any EPA water regulations addressing climate change should incorporate the following:

1. Address major contributions to climate change by making the Water Sector more energy efficient and minimizing greenhouse gas emissions;

2. Optimize reuse and recycling of biosolids, biogas and water;

3. Plan innovative strategies and build "green infrastructure," which is both adaptive to climatic changes and sustainable;

4. Encourage adaptation by developing strategies to minimize environmental, economic, and public health risks that will result from climatic changes in the environment.

If any questions about these comments, please contact Carl Myers, Assistant Director, Public Policy, WEF at cmyers@wef.org , or 703-684-2416