

Water Quality Trading Case Studies: Association of Clean Water Administrators Announces State Database



Walter Wright, Jr.
wwright@mwlaw.com
(501) 688.8839

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The Association of Clean Water Administrators (“ACWA”) announced it is accumulating water quality trading case studies on its website.

ACWA describes itself as a national, nonpartisan, professional organization whose members include the State, Interstate and Territorial officials who are responsible for the implementation of surface water protection programs throughout the nation.

A number of areas of the country are using water quality trading as an approach to address water quality goals. For example, Clean Water Act National Pollution Discharge Elimination System (“NPDES”) permits issued by the federal and state level are increasingly including stringent limits applicable to the discharge of nutrients such as phosphorus or nitrogen.

The cost associated with removing nutrients from a point source discharge can be significant. Non-point source discharges may often be reduced at a lower cost on a pollutant basis than the point source discharges. Therefore, trading programs may allow facilities facing higher pollution costs to meet the regulatory obligations by purchasing environmentally equivalent (or superior) pollution reductions from another source at a lower cost.

Act 335 of 2015 provided the Arkansas Department of Environmental Quality and Arkansas Pollution Control and Ecology Commission the authority to develop a nutrient water quality trading program. The legislation also provided for the creation of a “Nutrient Water Quality Trading Advisory Panel (“Panel”). The Panel’s responsibilities include assistance in developing regulations and related guidance necessary to establish an Arkansas water quality trading program.

The ACWA website currently has two states listed as providing case studies. The states are Missouri and South Carolina. Questions addressed, along with responses, include by way of example:

- What were the drivers for starting a water quality trading program?
- What has been the process to get a water quality trading program created and running?
- Who are the players in the process?
- What has been public reception of the program?
- What do you hope to achieve with the program?
- What have been the challenges during development of the program?

[A link to the ACWA database can be found here.](#)

