

Effluent Guidelines/Clean Water Act: U.S. Environmental Protection Agency Proposes Rule Addressing Meat and Poultry Products Category



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The United States Environmental Protection Agency (“EPA”) announced a pre-Federal Register Notice for a proposed rule addressing Clean Water Act effluent limit guidelines for the Meat and Poultry Products (“MPP”) industrial category.

The proposed rule would address MPP facilities discharging pollutants into waters of the United States and publicly owned treatment works.

Section 301(b) of the Clean Water Act authorizes EPA to promulgate national categorical standards or limits to restrict discharges of specific pollutants on an industry-by-industry basis. These effluent limits are incorporated into a point source discharger’s National Pollutant Discharge Elimination System permit as a baseline minimum requirement.

Clean Water Act effluent limits are derived from research regarding pollution control technology used in the industry. The analysis will include the degree of reduction of the pollutant that can be achieved through the use of various levels of technology. The applicable standard is dictated by the kind of pollutant discharged (i.e., toxic, conventional, or non-conventional) and whether a new or existing point source is involved.

Industrial categories are often further divided into subcategories. The effluent limits/conditions for the subcategories will be tailored to the performance capabilities of the wastewater treatment or control technologies used by the subcategory.

EPA’s development of categorical effluent limits is an ongoing process. The federal agency continues to promulgate categorical standards for facilities that have not been addressed. Existing categorical standards are also assessed to determine if revisions are warranted. The motivation for a change to an existing standard will often be the need to incorporate evolving technological developments.

Pollutants stated to be found in MPP wastewater include:

- Oil and grease
- Organic material
- Salts
- Ammonia
- Nutrients (nitrogen and phosphorus)

The proposed MPP categorical standard provides three potential options:

1. EPA's preferred option for existing direct dischargers would establish more stringent effluent limitations for nitrogen and initiate limitations for phosphorus. (Pretreatment standards for oil and grease, total suspended solids and biological oxygen demand would also be established.)
2. This option would include all the same mandates as Option 1) but add nitrogen and phosphorus limits for specific indirect dischargers.
3. This option is identical to Option 2 but would apply the direct and indirect discharge limits to a lower threshold.

The proposed rule also includes a requirement for segregation and management of high-salt waste streams produced at some facilities. E.coli would be a regulated parameter for direct dischargers.

A link to the prepublication proposed rule can be found [here](#).