

Wastewater Blending: U.S. Environmental Protection Agency Announces Initiation of Rulemaking



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05/10/2018

The United States Environmental Protection Agency (“EPA”) recently announced that it is initiating a rulemaking process addressing the use of “blending” by wastewater treatment plants.

EPA states it will be “reaching out to states, local communities, and stakeholders . . .” .

Blending is sometimes utilized by municipalities to manage peak flows of water and waste into wastewater treatment plants during and after significant precipitation events. It is used to prevent conditions that otherwise result in raw sewage backups into homes and other buildings or overflows into area waterbodies. Excess wastewater is routed around a treatment plant’s biological processes and the excess flow recombined with fully treated wastewater before being discharged.

The practice has been debated by various groups for many years. Federal and some state officials have challenged the practice in some circumstances. Other stakeholders, including environmental agency officials, have argued that with certain restrictions the practice is compliant with the relevant federal and state statutes.

EPA Administrator Scott Pruitt is quoted in announcing the start of the rulemaking as stating, in part:

EPA is taking action on a new rule that will give municipalities much-needed clarity on blending at wastewater treatment plants. . . We look forward to engaging with partners at the state and local levels as we work to design a rule that offers a common-sense approach to protecting public health and safely managing our nation’s wastewater.

EPA further states in the news release that it is seeking to:

. . . provide regulatory clarity and certainty with respect to the use of blending so that facilities can optimize wastewater treatment during wet weather, which will protect both water quality and public health in the communities they serve.

A copy of the [news release](#) can be downloaded below.