
Nutrient Challenges

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Key Regulatory Events on Nutrients

- NGO petition on secondary treatment
 - NGO petition on Gulf/Mississippi River WQS and TMDLs
 - NAS and USGS reports on Gulf/MS River
 - Chesapeake Bay TMDL
 - FL WQS determination
 - EPA report on State WQS progress
 - Region III approach and SAB review
 - Issue – climate change impacts of controls
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Challenges to Address

- Nonpoint source involvement
 - ❑ Trading systems
 - ❑ Implementation plans
 - ❑ BMPs – voluntary or not?
- TMDLs for large watersheds
 - ❑ Gulf/Mississippi River
 - ❑ Chesapeake Bay
 - ❑ How do you deal with tributaries?

More Challenges to Address

■ Relief Tools

- ❑ Compliance schedules
- ❑ Variances
- ❑ Group variances

■ Possible legal issues to raise

- ❑ Use of narratives to derive enforceable requirements – due process challenge
- ❑ Use of daily load in TMDL when nutrients are not a daily type of water quality issue

Still More Challenges to Consider

- If State does have to do numeric nutrient criteria, what do you recommend?
 - Consider use of Parkhurst paper developed for FWQC on how to do good nutrient criteria
- If State tries to impose limits based on Limit of Technology (LOT), what can you do?
- If new required controls increase energy use and carbon footprint, can you raise that issue in objecting to new requirements?

Questions?

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