

MEMORANDUM

February 2, 2005



TO: Village Board

FROM: Chris Swartz, Village Manager

COPY:

RE: EPA's Initiative to Weaken Limits on Bypass of Rain Sewage

Attached please find correspondence signed by the Congress of the United States and directed to the Michael Leavitt, Administrator of the Environmental Protection Agency with regard to weakening the limits on bypass of rain sewage for discussion at your February 7 meeting.

Congress of the United States
Washington, DC 20515

January 12, 2004

Administrator Michael Leavitt
Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Ave., NW
Washington, D.C. 20460

Dear Administrator Leavitt,

We were concerned to learn that the Environmental Protection Agency released a draft guidance on November 7 that would allow the discharge of inadequately treated sewage into waterways during rain events. The guidance would allow publicly owned treatment works (POTWs) to divert or "bypass" sewage around secondary treatment units; and then combine the filtered but untreated sewage with fully treated wastewater before discharge, in a process called "blending". The effect of this guidance would be to authorize the removal of the crucial second step in the process of secondary treatment during wet weather, specifically the biological treatment of the sewage. Currently, this sort of bypass is prohibited.

As the EPA is well aware, the biological treatment component of the process removes most of the pathogens, including viruses and parasites, from the wastewater. Therefore, the absence of this secondary treatment stage would allow the inclusion of numerous dangerous viruses and parasites such as Hepatitis A and *Giardia* in the product that is released into waterways. Disinfection (usually in the form of chlorination) is commonly used as the third step in sewage treatment, but disinfection without biological treatment would require the addition of large quantities of chlorine to come close to the same effectiveness of full secondary treatment. Yet this draft guidance does not even require this disinfection stage, unless it is necessary to meet water quality standards.

We understand the nature of the problem of excessive solids losses and disruption of the biological treatment stage during periods of heavy inflow of water into the collection system. Our nation is inarguably faced with the critical need for a huge financial investment in improved wastewater treatment infrastructure. However, it is unacceptable to use the allowance of blended sewage during rain events as the band-aid to cover these infrastructure shortfalls. The Federal Register notice dated November 7, 2003, specifically noted the existence of alternative measures to handle excess capacity. These measures include the construction of additional capacity and short-term storage until the sewage can be fully treated. We find it disappointing that your agency has

advocated a dangerous and environmentally harmful approach that threatens public health over these safer alternatives.


We have made great strides in the treatment of wastewater since the passage of the Clean Water Act in 1972. Accordingly, today Americans enjoy the benefit of clean drinking water supplies, clean beaches, and healthy coastal ecosystems. We see the repercussions of polluted water to health, livelihoods, and tourism anytime there is an accidental breach in sewage treatment facilities. This draft guidance would turn back the clock on clean water protections, and we urge the EPA to enforce and strengthen these protections, rather than consider actions that would increase the threat of waterborne illnesses and environmental degradation. We should not allow this sort of bypass nor should we accept blending as a replacement for full secondary treatment when feasible alternatives exist.

Sincerely,


FRANK PALLONE, JR., M.C.


E. CLAY SHAW, JR., M.C.


ELIZABETH CUMMINGS, M.C.


RAÚL GRIJALVA, M.C.


TIMOTHY BISHOP, M.C.

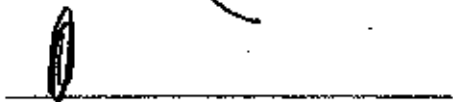

SHEILA JACKSON LEE, M.C.

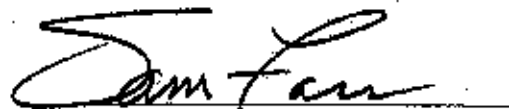

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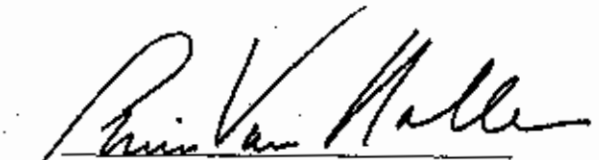

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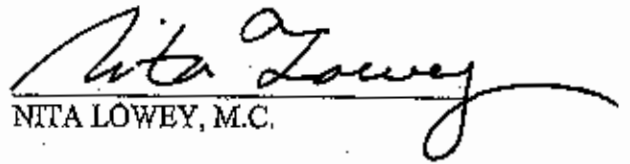

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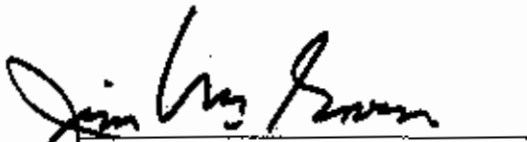

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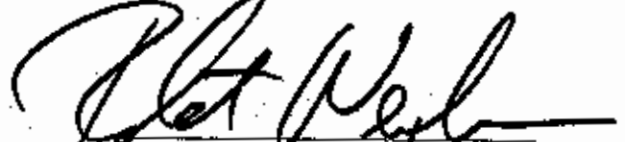

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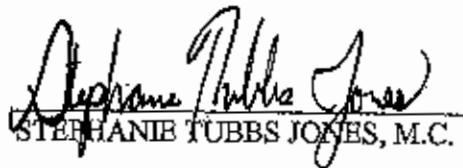

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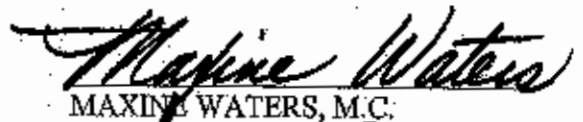

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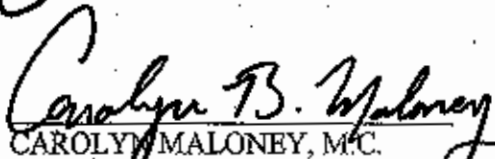

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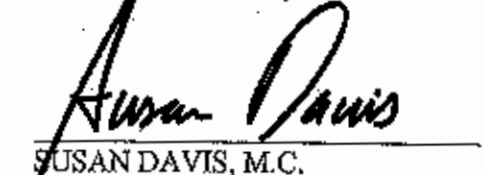

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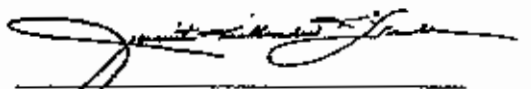
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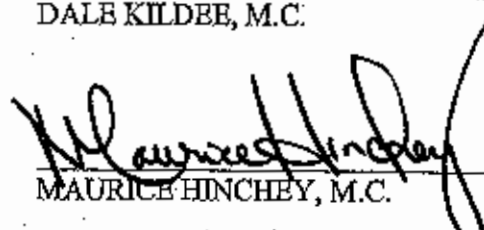

ALCEE HASTINGS, M.C.

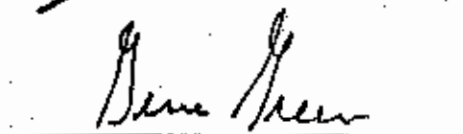

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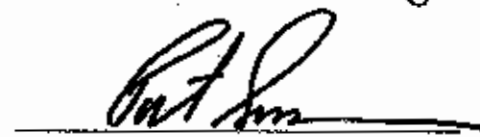

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