September 20, 2013

Water Docket
U.S. Environmental Protection Agency,
Mail Code 4203M
1200 Pennsylvania Ave, NW
Washington, DC 20460

Attention Docket ID No. EPA-HQ-OW-2009-0819

RE: Comments on Effluent Limitations Guidelines and Standards for the Steam Electric Power Generating Point Source Category

The undersigned organizations appreciate the opportunity to comment on The Environmental Protection Agency's (EPA's) proposed *Effluent Limitations Guidelines and Standards for the Steam Electric Power Generating Point Source Category*. **Our organizations share a common concern, the protection of the nation's water resources, and in particular ensuring that America's drinking water supplies are adequately protected.**

The Clean Water Act Requires Action – Steam electric power plants produce numerous waste streams including fly ash transport water, bottom ash transport water, combustion residual leachate, flue gas mercury control system wastewater, gasification wastewater, and metal cleaning waste streams. These wastewater streams have the potential to contaminate drinking water supplies, yet the guidelines for these facilities have not been reviewed and revised since 1982. EPA's research shows that 399 water bodies across the country that are drinking water supplies are being degraded by steam electric power plant effluent.[1] EPA has a clear responsibility to utilize the Clean Water Act to protect these drinking water supplies.

Managing Air Pollution Should Not Endanger Water Resources - As a result of Clean Air Act regulations the number of power plants with flue gas desulphurization ("FGD") systems, also known as scrubbers, is substantial and expected to continue to grow. At present nearly 70% of the power plants that discharge coal ash wastewater or sludge from FGD systems do not have limits for five contaminants for which there are existing Safe Drinking Water Act maximum contaminant levels (MCLs) (i.e., arsenic, cadmium,

[1] http://water.epa.gov/scitech/wastetech/guide/steam-electric/proposed.cfm

lead, mercury, and selenium), all of which are commonly found in these wastewater streams.[2] The final effluent guidelines should lead to permit requirements that include measures to protect downstream water supplies from contamination by FGD systems.

Bromide is an Emerging Concern - Bromide is of particular concern for power plants that discharge upstream of drinking water intakes because it contributes to elevated disinfection byproducts formation potential during drinking water treatment. The costs borne by local communities to manage disinfection byproducts are already substantial and the addition of a single, large upstream source of elevated bromide (e.g., a single power plant discharge) can substantially complicate disinfection byproduct control for numerous downstream water systems. Of the 145 power plants identified by EPA that generate scrubber wastewater, over half use surface impoundments (settling ponds) to treat that wastewater.[3] Settling ponds as well as the combinations of chemical and biological treatments included in most of EPA's proposed effluent guideline options, are ineffective treatment for bromide and other total dissolved solids. It is important that the final effluent guidelines guide power plant pollution control design, for both air and wastewater, toward treatment solutions that are adequate in removing target pollutants but also do not inadvertently create unintended consequences for downstream drinking water supplies.

Complete Benefit – Cost Analysis is Essential - Sound benefit-cost analysis is an important element of effective public health policy-making. In this rulemaking, EPA should include and monetize benefits of avoided drinking water treatment costs resulting from effluent guideline options. The agency's current analysis is under-representing the potential benefit of the risk management options presented. EPA should strengthen the benefit-cost analysis presented for the proposed effluent guideline options by monetizing the benefits of reduced costs for drinking water treatment, reduced non-cancer health impacts, and other benefits mentioned qualitatively in EPA's current analysis.

Protection of drinking water supplies from pollution is the first line of defense in ensuring safe and affordable water is available to our nation's consumers. Bringing the current steam power effluent guideline up-to-date presents an important opportunity to strengthen that that protection for a large number of communities across the United States. In addition to this joint letter please see correspondence sent by individual signatory organizations with additional detailed comments reflecting each organizations unique expertise and recommendations.

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[2] Environmental Integrity Project, Sierra Club, Clean Water Action, Earthjustice and Waterkeeper Alliance, *Closing the Floodgates: How the Coal Industry is Poisoning Our Water and How We Can Stop It* (2013), *available at* http://cleanwater.org/files/publications/closing-floodgates.pdf

[3] 78 ***FR*** 34451

Sincerely,

Thomas W. Curtis
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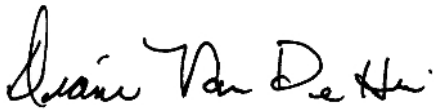
American Water Works Association



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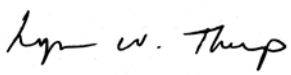

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