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Executive Director
Narragansett Bay Commission
Providence, RI

Association of
Metropolitan
Sewerage Agencies

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Water Works & Sanitary
Sewer Board
Montgomery, AL

January 23, 2003

Treasurer
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General Counsel
Northeast Ohio Regional
Sewer District
Cleveland, OH

John P. Suarez
Assistant Administrator
Office of Enforcement & Compliance Assurance
U.S. EPA, Ariel Rios Building, Mail Code 2201A
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Secretary
Donnie R. Wheeler
General Manager
Hampton Roads Sanitation
District
Virginia Beach, VA

VIA FACSIMILE and REGULAR U.S. MAIL

Executive Director
Ken Kirk

RE: NATIONAL BLENDING POLICY

Dear Assistant Administrator Suarez:

On behalf of the Association of Metropolitan Sewerage Agencies (AMSA), I write to urge your support the Office of Water's February release of a draft national policy for public comment on blending peak flows at publicly owned treatment works (POTWs). Release of this draft policy is essential to many of AMSA's nearly 300 POTW member agencies, who face seriously inconsistent enforcement and permitting approaches to blending by the U.S. Environmental Protection Agency (EPA) regions. We also request a meeting with you and your staff at your earliest convenience to discuss this critical issue.

Blending has been an essential wastewater peak flow practice for decades. During peak wet weather conditions, a POTW receives exponentially greater flow volumes than in dry weather. Most treatment plants were not built to store this excess flow for later treatment. Blending allows a POTW to provide a minimum level of treatment to these heavy flows while still meeting the facility's Clean Water Act (CWA) effluent limitations. This makes blending an environmentally sound practice for wet weather flows, as final effluent limits are met, valuable plant assets are protected, and the highest possible volume of wastewater receives treatment.

Blending historically has been authorized and funded by the federal government. Roughly 50 percent of AMSA's members operate plants designed to blend, 70

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percent of which were part of the individual agency's original treatment scheme. Among those AMSA members that blend during peak wet weather conditions, over 80 percent received state or federal funds to install blending facilities, and over 30 percent hold current permits which specifically authorize blending.

AMSA supports the release of a draft policy which recognizes blending as a viable wet weather practice, and confirms that it is not prohibited by the CWA bypass regulations. A consistent national approach is essential to bring order to this issue and to provide a fair permitting process for affected communities. Any prohibition on blending will require cities across the country to find billions of dollars in public funds to resize their facilities to capture and fully treat all peak flow volumes. The public, political, and even land use implications of this result are untenable, and will not result in measurable improvements in water quality. We do not believe that EPA intends to create this devastating situation.

Thank you for your consideration. I will be contacting you in the next few days to schedule a time for us to meet on this issue. Please feel free to call me at 202/833-4653 if you should have any questions before that time.

Sincerely,

A handwritten signature in black ink, appearing to read "K Kirk". The signature is fluid and cursive, with the first letter "K" being large and prominent.

Ken Kirk
Executive Director