



EPA Tightens Wastewater Discharge Limits for Power Plants

11.16.2015

EPA recently issued a final rule setting new Effluent Limitation Guidelines and Standards for the Steam Electric Power Generating Point Source Category. According to EPA, while the electric power industry has made significant improvements in recent years toward reducing air pollutant emissions, one result of the technologies employed to reduce air emissions is that many of the pollutants have been transferred to wastewater.

The rule revises existing technology-based effluent limitations and standards for direct and indirect discharges of wastewater to waters of the United States from steam electric power plants. The rule applies to facilities where generation of electricity is the predominant source of revenue and whose electricity is generated primarily by a process utilizing fossil-type fuel (coal, oil, or gas), fuel derived from fossil fuel (e.g. petroleum coke, synthesis gas), or nuclear fuel. It establishes new effluent limitations for both existing and new sources of wastewater discharges at power plants and applies to wastestreams associated with flue gas desulfurization, fly ash, bottom ash, flue gas mercury control, and gasification wastewater. New more stringent effluent limits for arsenic, mercury, selenium, and nitrogen apply to flue gas desulfurization wastestreams. Zero discharge standards are set for ash transport water and flue gas mercury control wastewater. Finally, stringent limits are set for arsenic, mercury, selenium, and total dissolved solids in gasification wastewater.

EPA estimates the rule will require approximately 12% of the existing steam electric power plants to make capital investments, with the “economically achievable” national compliance price tag of \$480 million. The rule will become effective on January 4, 2016. The direct discharge limitations in the rule apply only after they are incorporated into the facility’s NPDES permit. Moreover, the rule allows the permitting authority flexibility to determine when specific limitations must be complied with at the facility, subject to certain outside compliance dates. In all cases, compliance must be achieved no later than December 31, 2023.

80 Fed. Reg. 67838 (November 3, 2015).

Related People

- Ryan W. Trail – 803.567.4605 – Rtrail@williamsmullen.com

Related Services

- Environment & Natural Resources