

124- Water Pollution Control

Standard setting/Permitting

CA ahead of rest of country/EPA in air, water, toxics, and landfill regulation

CA had air districts, RWQCB, toxics and landfill before; exception is contaminated property cleanup

Earliest significant federal involvement in pollution control

- 1956 Missouri case that drove federal law

- still predominantly a grants program

1965 Amendments-

old Interior standard setting; EPA step in if state does not

- no effective enforcement mechanism

Sources of Nitrates

- Fertilizer

- Septic Tanks

Soil conservation district

FWPCA of 1972- similar model to CAA

1. EPA sets standards

2. States given time to develop plan

3. States given time to implement plan

4. EPA penalizes for failure

Agencies to do this :EPA/SWRCB/RWQCB

System based on same idea as air

1. basin standards

- BOD

- suspended solids

- pH

- fecal coliform

- oil and grease

2. stationary source permits (NPDES)

Toxics in water-

60 toxic standards

BAT (best achievable)

Permits- same as air
-B(conventional) CT for new
- BAT for toxics

Rule: toxics/hazardous

Enforcement:

1. cutoff of federal funds
2. cutoff of sewer connections

Implementing state law: Porter-Cologne Act

Focus on stationary sources
- non-point source neglect

Current issue is stormwater treatment
-little industrial controversy
- lots of municipal controversy
- Saratoga/Santa Cruz eggs

Major stationary source is City sewage (POTW); industrial sources critical but secondary.

Most industrial go to POTW
-pre-treatment (see p. 162)

Secondary federal law:
Rivers & Harbors Act of 1899-
Corps of Engineers

Other issues

Water rights

1. Riparian rights
2. Appropriative rights

Drinking water-

EPA national standards applied to bottled water 2 years ago

Oil Pollution

-EPA/Coast Guard regs
- limits on liability

Citizen suits

- air/water/solid waste/hazardous waste