

History of the Clean Water Act

Adapted from information found at www2.epa.gov

Rivers are at the heart of communities around the United States. This is especially true in Fort Wayne where the downtown has developed around three rivers. In many places, rivers provide drinking water and offer vibrant and fascinating backdrops for city life.

Since the late 1940's laws have been in place in the US to protect river water quality. The Federal Water Pollution Control Act of 1948 was the first major US law to address water pollution.

Growing public awareness and concern for the quality of rivers, lakes and streams as part of the environmental movement led to sweeping amendments to the original law in 1972. As amended in 1972, the law became commonly known as the Clean Water Act (CWA).

The Clean Water Act of 1972 did the following:

- Established a basic structure for regulating pollutants discharged into the waters of the United States.
- Gave the Environmental Protection Agency the authority to develop and implement water pollution control programs such as setting wastewater standards for industries and municipal sewage treatment plants.
- Maintained requirements from the 1948 law to set standards for contaminants in surface waters such as rivers.
- Made it illegal for any person or entity to discharge any pollutant from a pipe (point source) if they had not obtained a permit from the EPA.
- Recognized the need for planning to address the critical problems posed by “nonpoint source” pollution. Nonpoint sources include rain water runoff that goes directly into a river or stream and may carry a variety of pollutants with it.

The 1972 Act also provided grants to pay for the construction of sewage treatment plants and other sewer system improvements. However, changes to the law in 1987 phased out the construction grants program and replaced it with a revolving loan fund program administered by individual states.

How does the Clean Water Act affect Fort Wayne?

The Clean Water Act gives the US Environmental Protection Agency the authority to establish the rules and programs that protect the quality of rivers along with many other types of water bodies such as lakes and streams in the United States.

The main tool that the EPA uses is a program called the National Pollutant Discharge Elimination System (NPDES) Permit program. Under this program, any entity that discharges water to a United States water body must have a permit to do so. The permits set limits on what can be discharged and sometimes on the amount that can be discharged. Many times the authority to issue and monitor permits has been delegated to individual states. In Indiana, the Department of Environmental Management manages the NPDES program.

Businesses and industries that discharge wastewater must have an NPDES permit. Limits on what can be discharged help to determine what the individual business must do to treat its wastewater before discharge. Industries are required to regularly sample the water that they send out to make sure it meets their permit requirements and report results to the state.

Sewage treatment plants owned and operated by communities or private sewer utilities must also have an operating permit through the NPDES program. These permits, too, have limits on what the plants may discharge and require monthly reporting of discharge quality. Some of the many parameters in wastewater that are limited by NPDES operating permits include bacteria, suspended solids, heavy metals, phosphorus, nitrogen and chlorine.

Sewer systems must also have NPDES operating permits, especially if they include pipes that occasionally discharge diluted sewage to water bodies. The sewer system permit may be included with the permit for the sewage treatment plant.

Since 1999, provisions of the Clean Water Act have also been applied to **stormwater discharges**. The stormwater permit program requires that owners of **construction sites** take steps to reduce the erosion of soil and the quality of the water that runs off a construction site in a rainstorm. The US EPA has identified sediment as the most significant form of pollution in rivers and streams in the United States, so stormwater permit regulations are aimed at reducing the amount of sediment going into rivers and streams. Communities and other entities of a certain size (such as university campuses) are required to reduce other pollutants that can be carried by stormwater runoff such as automotive fluids, bacteria from pet waste, lawn and garden chemicals and trash and debris. Annual reports are required to document the programs and practices communities have put in place. Businesses and industries, too, are required to implement practices to reduce the pollutants carried off their sites by rain water runoff or snow melt. While there are currently no numeric limits that govern the quality of this runoff, businesses and industries must implement and report on the programs and practices they use to reduce the pollutants in their runoff.