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Effluent Guidelines/Meat and Poultry Products Category: Association of Clean Water Administrators Comments Addressing U.S. Environmental Protection Agency Proposed Rule

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The Association of Clean Water Administrators ("ACWA") submitted March 23rd Comments to a Proposed EPA Rule styled:

Clean Water Act Effluent Limitations Guidelines and Standard for the Meat and Poultry Products Point Source Category ("Proposed Rule").

See Docket ID No. EPA-HQ-OW-2021-0736.

The Proposed Rule addresses Clean Water Act effluent limit guidelines for the Meat and Poultry Products ("MPP") industrial category. It would encompass MPP facilities that discharge pollutants into waters of the United States and Publicly Owned Treatment Works.

Section 301(b) of the Clean Water Act authorizes EPA to promulgate national categorical standards or limits to restrict discharges of specific pollutants on an industry-by-industry basis. These effluent limits are incorporated into a point source dischargers National Pollutant Discharge Elimination System permit as a baseline minimum requirement.

Clean Water Act effluent limits are derived from research regarding pollution control technology used in the industry. The analysis will include the degree of reduction of the pollutant that can be achieved through the use of various levels of technology. The applicable standard is dictated by the kind of pollutant discharged.

EPA's development of categorical effluent limits is an ongoing process. The federal agency continues to promulgate categorical standards for facilities that have not been addressed. Existing categorical standards are also assessed to determine if revisions are warranted. The MPP category is an example.

ACWA describes itself as an independent, non-partisan, national organization of state, interstate, and territorial clean water program directors responsible for the daily implementation of the Clean Water Act. This is stated to include the National Pollutant Discharge Elimination System which incorporates technology-based effluent limitations derived from National Effluent Limit Guidelines.

ACWA states that it supports EPA's decision to:

...further research and study the Meat and Poultry Products (MPP) industry and the ultimate decision to propose a rule updating the technology-based effluent limitations guidelines and standards (ELGs) for the MPP source category.

Further, the organization states that while EPA has “captured the MPP universe and relevant exceptions” but that the final rule could benefit from “providing clarity regarding when gelatin manufacturing is or is not covered”.

The ACWA comments includes 19 recommendations. The recommendations fall within the following categories:

- General overview
- Discharges-universe
- Direct dischargers - conventional pollutants
- Direct dischargers - nutrients
- Indirect dischargers - general observations
- Indirect dischargers - conventional pollutants
- Indirect dischargers - nutrients

ACWA also asked that EPA consider recommendations that come directly from individual states, interstates, and territories.

A copy of the ACWA Comments can be downloaded [here](#).