

## The Clean Water Act

The Clean Water Act (CWA) was passed in 1972

There are several key precepts that have guided water policy:

- No industry organization or individual has a “right” to pollute
- Permits are required to discharge pollutants into public waters
- In all cases, use the best science and technology possible

There is a certain amount of each pollutant (sediment, phosphorus, ecoli/fecal coliform) that is allowable – our waters naturally are never pure, so the CWA allows a certain level of each pollutant.

Historically, we have focused on technology and the source (wastewater treatment and industry – and what they are allowed) and we are now putting more emphasis on the receiving waters. The clean water act addresses both, and we now integrate them more.

There have been three key amendments to the CWA:

1. Industrial permits were added in 1977, when the National Pollutant Discharge Elimination System (NPDES) permit program was established to control water pollution by regulating point sources that discharge pollutants into waters of the United States. Industrial, municipal, and other facilities must obtain permits if their discharges go directly to surface waters.



2. In 1981, there was a revision to grant funding to upgrade Waste Water Treatment Facilities. Billions have been spent nationally to upgrade these systems.

Only as we addressed the point sources such as wastewater treatment facilities and industrial discharges, did we understand the issues that non-point source (NPS) posed.

3. Based on that new understanding of the threats of NPS, the CWA was amended in 1987 to include non-point source pollution, and was addressed in the CWA through incentives and planning.

In the past, we have thought of point source pollution as “the pollution that comes out of pipes”, and NPS as “pollution that runs off of impermeable surfaces.” However, the definitions are no longer that helpful, as some run off is permitted, as we see later.

There have been no significant amendments to the Clean Water Act in the last 25 years.

