# Focus

## Sewer Connection Bans

### Issue

The Washington State Department of Ecology (Ecology) has clarified when and how it will impose sewer connection bans. Sewer connection bans prevent or limit hookups to sewer systems when the systems are over-capacity and are having wastewater violations. Whenever a sewage treatment plan operates over its approved capacity, there is an increased risk of pollution and a greater likelihood of water quality problems.

### When Sewer Connection Bans are Needed

Some municipalities impose sewer connection bans on themselves when their treatment capacity is being reached or exceeded. Ecology commends those communities that see the need to prevent inadequately treated wastewater from polluting streams, bays and ground waters. Ecology's sewer connection ban policy favors locally imposed connection bans. Ecology will work with communities with capacity problems to encourage them to self-impose those bans.

Typically, Ecology remind communities of their need to provide adequate treatment capacity as the community's wastewater treatment system reaches 85 percent of its total capacity. This is to encourage the community to construct an upgraded treatment system to avoid overloading the existing plant. Every year, Ecology provides millions of dollars of grants and loans and technical assistance to municipalities for treatment plant upgrades.

The new sewer hookup policy clarifies that if a treatment plant has repeat wastewater violations because of inadequate capacity and the municipality does not act to impose a sewer connection ban, Ecology will impose the ban through an administrative order. Even in these cases, Ecology will work with communities to arrive at an agreed-upon action. If Ecology and the community can't agree and a ban is still needed to protect water quality, Ecology will issue an order unilaterally. Ecology's policy is to lift the bans once the community makes the appropriate expansion and upgrades to the wastewater treatment facility.

### A Refinement of an Old Enforcement Tool

Ecology has used sewer bans for years to prevent water pollution and protect water quality. In the past ten years, about 30 communities (or about 10 percent of municipal systems statewide) have had sewer bans in effect either self-imposed or directed by Ecology. Ecology's new policy clarifies when and how it will impose sewer connection bans. The new policy is aimed at a clear and consistent use of sewer bans.

### Water Quality Partnership Helped Develop the Policy

The Water Quality Partnership, Enforcement Subcommittee, helped develop the new policy. The Partnership is a standing policy advisory committee to Ecology and has representatives

from municipalities, industry, small businesses, environmental groups, and Native American tribes. The enforcement subcommittee looked at various enforcement tools available to achieve municipal compliance and recommended strengthening and standardizing connection bans.

## Specifics of the Policy

According to the policy, Ecology would impose a sewer connection ban when:

      a.      there is no self-imposed connection ban in place; and

      b.      the municipality has reached or exceeded 100 percent of its treatment capacity; and

      c.      capacity-related effluent limit violations occur.

      d.      For other cases, where in Ecology's judgment a connection ban is the best tool to achieve compliance and protect water quality.

Ecology will work with the community to self-impose a sewer connection ban and will typically follow the sequence below:

      1.      Encourage that the community impose their own sewer connection ban through local ordinance. The local ordinance must require Ecology prior approval to amend or repeal the ordinance in order to prevent an Ecology-initiated ordered.

      2.      Ecology issued Consent Order.

      3.      Ecology issued Unilateral Order.

## For More Information

You may contact Dan Wrye, Department of Ecology, PO Box 47600, Olympia, Washington, 98504-7600, 360/407-6459, dwry461@ecy.wa.gov, for further information on the policy.