



State Issues Chesapeake Bay TMDL Phase III WIP Draft May 2019

On April 12, 2019, the State posted its Draft Phase III Watershed Implementation Plan (WIP), which details Maryland's strategies for addressing the 2010 Bay TMDL in the wastewater, agriculture, stormwater, and natural land sectors.

With regard to the wastewater sector, the State rightly acknowledges that WWTPs are a key reason why the State has been successful in meeting targets thus far. In addition, the State notes that over 85% of the 715 MGD in wastewater capacity is operating at ENR treatment levels.

Given the lift to address 2025 goals, however, the State is looking for ways to create incentives for POTWs to achieve even lower nitrogen concentrations (see Wastewater Strategy 4: Continue to incentivize POTW performance to achieve lower nutrient discharge concentrations at PIII WIP, p. B-43). If POTWs can achieve annual average nitrogen concentrations of 3.25 mg/l for TN, the State "will be able to meet its Phase III WIP targets..." In addition to the continued use of O&M grants for POTWs that discharge below 3 mg/l TN and 0.3 mg/l TP, the State plans to use two newer programs, the Clean Water Commerce Act and the Water Quality Trading Program, to further encourage reductions. The State's decision to use a voluntary, incentive-based approach to drive additional reductions is a positive for MAMWA Members as compared to a regulatory approach.

MAMWA will submit comments in response to the Draft PIII WIP. Comments in response to the Phase III WIP are due by June 7, 2019. Members should have received a Phase III WIP Summary and Potential MAMWA Comments by email on May 2, 2019.