UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

September 13, 1974

OFFICE OF
ENFORCEMENT AND GENERAL COUNSEL
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MEMORANDUM

TO : All Regional Enforcement Directors
Director, NFIC Cincinnati
Director, NFIC Denver

FROM : Director, Permit Assistance & Evaluation Division

SUBJECT: Disposal of Supply Water Treatment Sludges

Early versions of NPDES standard permit language contained a prohibition on the return of supply water treatment sludges to the receiving water. It was, however, deleted as standard language for use in all permits.

Such sludges may be subcategorized into silt removed from raw water or chemical water treatment sludges such as lime. Under the definition of a pollutant given in Section 502 of the Act, such sludges are clearly pollutants. However, as is the case in any industry where a given constituent of the wastewaters is considered and rejected as a significant parameter or rejected for limitation under best practicable control technology currently available because of cost-benefit consideration applied to the subcategory overall, so also may supply water treatment sludges be approached.

With respect to silt (i. e., mud) removed from raw water, its presence is generally due to non-point source discharges, e. g., erosion. The cost-benefit relationship will not always justify the arbitrary prohibition of the return of such silt to the receiving waters. In any given situation, it depends upon various considerations including supply water silt burden, nature and quantity of chemical clarification aids used, availability of land disposal sites, economic impact, navigational considerations, and water quality standards, to mention a few.

In the context of the technical and economic considerations described above, our national policy on the disposal of supply water

treatment sludges is "Once a pollutant is removed from the discharge, it should not be reintroduced". Thus, the national policy is not an absolute prohibition and is subject to regional determination.

Because silt is indigenous to certain river waters, notably the Mississippi and Missouri Rivers, and because our priority concern is process generated pollutants, and because unreasonable cost-benefit relationships may result in some areas of these rivers and others, it would be within the intent of best practicable control technology currently available to authorize, in some instances, either the partial or total return of silt type sludges to the receiving waters.

Of course, sludges resulting from the treatment of process wastewaters, including chemical water treatment sludges such as lime, may not be discharged except to the extent controlled by total suspended solids limitations on the treated effluent.

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