

THE CLEAN WATER ACT: A SUMMARY

Kentucky Division of Water

History of the Clean Water Act

In 1972, Congress enacted the Clean Water Act (CWA). Since then, local and state governments have worked with industries and wastewater treatment plants to reduce "point source" pollution to improve the quality of receiving waterways.

The CWA establishes the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters. The basis of the act was enacted in 1948 and was called the Federal Water Pollution Control Act, but the act was significantly reorganized and expanded in 1972.



Point Source Permit Programs

Under the CWA, the U.S. Environmental Protection Agency (EPA) has implemented pollution control programs such as establishing wastewater treatment standards for certain industries and water quality standards for all contaminants in surface waters.

The CWA made it unlawful to discharge any pollutant from a point source into navigable waters, unless a permit was obtained through the National Pollutant Discharge Elimination System (NPDES) permit program. Point sources are discrete conveyances such as pipes or manmade ditches. Individual homes that are connected to a municipal system, use a septic system, or do not have a surface discharge do not need an NPDES permit. However, industrial, municipal, and other facilities must obtain permits if their discharges go directly to surface waters.

Nonpoint Source Pollution

As point source pollutants were brought under control, it became evident that other sources of pollution existed. These "nonpoint source" pollutants were reaching lakes, rivers, and streams from agricultural runoff, urban runoff, stream channelization, and construction site runoff. To address these sources, EPA initiated the NPDES Phase I and Phase II stormwater programs.

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NPDES Phase I

Required communities with a population greater than 100,000 to oversee the discharge and monitoring of wastewater from industries, and to come into compliance with other specific stormwater mandates

NPDES Phase II

Required smaller jurisdictions, such as those comprising the Regional Storm Water Collaborative, to come into compliance by 2008, and to implement EPA's six minimum control measures listed below:

Public Information and Education

Each jurisdiction is required to educate the public about stormwater quality issues.

Public Involvement and Participation

Each jurisdiction must provide opportunities for the public to participate in stormwater projects, such as storm drain tagging and stream clean-ups, and provide a way for the public to report stormwater problems.

Illicit Discharge Detection

Each jurisdiction must develop, implement, and enforce a program to detect and eliminate illicit discharges, and develop a storm sewer map.

Construction Site Stormwater Runoff Control

Each jurisdiction must develop, implement, and enforce a program to address pollutants in stormwater runoff from construction activities.

Post-Construction Stormwater Management

Each jurisdiction must develop, implement, and enforce a program to address stormwater runoff from new development and redevelopment projects.

Pollution Prevention/Housekeeping

Each jurisdiction must develop and implement an operation and maintenance program, including training to prevent or reduce pollutant runoff from municipal operations.

