

## WASTEWATER TREATMENT FACILITY 16-YEAR EXEMPTION OPPOSE HF 2802 (LUECK); SF 2807 (WEBER)

### THIS BILL WOULD:

This bill provides a blanket 16-year exemption from new water quality requirements for a wastewater treatment facility that has made an investment in an upgrade.

MCEA urges you to vote no on this bill, which is unnecessary and violates the Clean Water Act.

### THIS IS A PROBLEM BECAUSE:

Two administrative law judges already reviewed the 2017 blanket exemption and concluded that it conflicts with the Clean Water Act.

Passing the language again does not fix the problem.

Stating that this exemption only applies “to the extent allowable under federal law” does not fix the problem.

### REGULATORY UNCERTAINTY:

This bill actually creates uncertainty for municipalities.

If the bill is enacted, a series of case-by-case challenges is likely.

This proposal would muddy the waters by creating uncertainty for municipalities and increasing the possibility of avoidable, costly litigation.

### CITIES HAVE OPTIONS:

Municipalities that face financial hardships have tools at their disposal under the Clean Water Act:

- variances and
- compliance schedules.



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