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NACWA Statement for the Record for "Understanding the Presence of Microplastics in Water" a February 27, 2024 joint hearing of the Environment and Public Works (EPW) Subcommittee on Chemical Safety, Waste Management, Environmental Justice, and Regulatory Oversight along with the EPW Subcommittee on Fisheries, Water, and Wildlife.

The National Association of Clean Water Agencies (NACWA) appreciates the opportunity to provide input on the issue of microplastics in water. NACWA represents the interests of more than 350 publicly owned wastewater and stormwater utilities across the country. These public clean water agencies – large and small, urban and rural – provide the essential service of protecting public health and the environment by managing and treating billions of gallons of our nation’s wastewater and stormwater, while meeting the requirements of the Clean Water Act.

NACWA and its members applaud the efforts of the subcommittees to better understand microplastics in the environment, a significant and growing problem both in the U.S. and globally. NACWA’s utility members are directly impacted by larger plastics that are disposed of into the sewer systems leading to publicly owned treatment works (POTWs) and that wash into municipal separate storm sewer systems (MS4s). Utilities spend a significant amount of money removing and disposing of these plastics from their infrastructure. Microplastics, whether originating from the breakdown of larger plastics or produced at smaller sizes, may pass through treatment systems and into the environment or end up in the biosolids produced by the treatment process.

Since POTWs were not designed to remove microplastics and adding treatment technologies to remove microplastics would result in significant rate increases, preventing plastics from entering the sewer system and MS4s should be the highest priority. Congress took an important step toward reducing microplastics disposal into the sewer system when it passed the *Microbead-Free Waters Act of 2015*, prohibiting the use of plastic microbeads in cosmetics and products such as toothpaste. Other sources of microplastics, such as fibers released from clothing during washing, are more difficult to control.

Further research is needed to identify these other sources of microplastics and how to effectively prevent their introduction into the sewer and stormwater systems. EPA recognized this research need in its May 2023 *Draft National Strategy to Prevent Plastic Pollution*, stating that action is needed to “conduct research and disseminate information on the sources, transport, fate,

concentrations, impacts, and remediation of microplastic pollution” and to “develop definitions for microplastics and standardized methods for their collection, extraction, quantification, and characterization.” NACWA agrees that these actions are needed and asks Congress to approve funding for this research.

Identifying the sources of microplastics can help determine the best way to prevent microplastics from ending up in water. If any industrial sources are found to be significant sources of plastics, EPA can develop effluent limitation guidelines and pretreatment standards as a reasonable and effective method for controlling these sources. POTWs can then do their part to implement those standards. However, POTWs and EPA have no authority under the Clean Water Act to control domestic sources of microplastics and further action by Congress may be needed to enact producer responsibility laws and prevent the use of microplastics, as in the *Microbead-Free Waters Act of 2015*.

Additional research can also determine the extent to which microplastics result from larger plastic products that are flushed in toilets or washed down sinks, such as wipes, dental flossers, and contact lenses. NACWA’s *Toilets Are Not Trashcans!* campaign has sought solutions to the problems caused by these products, focusing first on wipes, which NACWA estimates cost utilities over \$400 million per year in operating costs. Many wipes, such as baby wipes and disinfecting wipes, are made from plastic. These high-strength wipes clog pumps and other equipment, which often must be cleared manually by utility workers. Clogged pumps and pipes may also result in sewer overflows and basement backups.

The *Toilets Are Not Trashcans!* campaign has led to laws in five states requiring prominent “Do Not Flush” labeling on non-flushable wipes. S.1350, the *Wastewater Infrastructure Pollution Prevention and Environmental Safety (WIPPES) Act* would require this labeling nationwide as a first step in informing consumers about proper disposal of these plastic wipes. Additional action is needed to ensure that other commonly flushed products, such as dental flossers, are also clearly labeled “Do Not Flush.”

A public education pilot program in Maine in 2014 demonstrated that the volume of inappropriately flushed wipes decreased because of the campaign, but also showed that the message needed to be delivered consistently over a long period of time to have lasting results. Since clean water utilities have limited budgets and operate mostly on funds from their community ratepayers, product manufacturers and retailers should be responsible for educating the public about not flushing these items.

Thank you for your consideration of these comments. Please contact Danielle Cloutier, NACWA Legislative Director at dcloutier@nacwa.org if you have any questions.