START HERE
Undertake Preliminary Engineering Report for community. Determine the WasteWater Treatment Systems (WWTS) upgrade necessary to comply with applicable standards including, if they can be met, base numeric nutrient standards (BNNS).

Can the community meet the BNNS (assumes cost <X% MHI; or that community chooses to build the facility)

NO **YES**

Temporary Nutrient Criteria not required.

Are there alternative to discharging (e.g., discharge elimination, land application, total or seasonal retention or can the discharge be reduced? (based on a thorough alternatives analysis)

NO **YES/MAYBE**

DONE. Community implements alternative analysis. **Temporary Nutrient Criteria not required**.

Are there viable[2] nutrient trading options (point or non-point) available to the community consistent with DEQ's trading policy?

NO **YES**

Can nutrient trading completely offset the community's pending nutrient waste load allocation[3]?

NO **YES**

DONE. Community implements trading with point and/or non-point trading partner, and trade conditions are enforced in the MPDES permit (see DEQ's trading policy and trading implementation guidance).

Temporary Nutrient Criteria not required.

Can the BNNS be attained with pollution control technologies?

NO **YES**

Are the economic impacts substantial and widespread (and documented applying DEQ's S&W process)?

NO **YES**

Temporary Nutrient Criteria **not** required.

Temporary nutrient criteria concentrations and load will then equate to the limits of technology (LOT).

Community may be eligible for temporary nutrient criteria (aka affordability variance from BNNS) based on economic hardship.

Assuming the temporary criteria is granted, *would the annualized total of current use wastewater fees plus additional fees associated with the upgrade be greater than 1%MHI?*

NO **YES**

Temporary nutrient criteria concentrations and load will then equate to the technology, trading offset, or combination solutions that would bring new user rates to about 1.0% MHI. Case-specific engineering considerations may make it hard to hit 1% MHI exactly, therefore the best solution may fall in the 0.95-1.5% MHI range. Must be approved by DEQ.

Temporary nutrient criteria set equal to concentrations and load from whatever their current WWTS produces. (Since this is already the process for handling listed waters, how does this improve what is already being done?

Resulting nutrient concentrations and load are adopted into rule by the Department after a public hearing.