

2010 NYS Law Bans Sale of Phosphorus Containing Dishwasher Detergents

The **NYS Dishwasher Detergent and Nutrient Runoff Law** went into effect on August 14, 2010 after being signed by Governor Paterson on July 15, 2010. Through restrictions on dishwasher detergents and fertilizers that contain phosphorus, the law will reduce the quantity of phosphorus entering the State's waters.

Beginning August 14, 2010 sale of newly stocked, phosphorus-containing dishwasher detergents for household use is prohibited. Starting on July 1, 2013, the law prohibits the sale of phosphorus-containing dishwasher detergents for commercial use. Additional details on requirements of the law can be found on the NYS DEC web site at <http://www.dec.ny.gov/chemical/67239.html>.

Phosphorus' Environmental Impact in Waterbodies

Phosphorus from dishwasher detergents is carried to ponds, rivers, lakes and streams by wastewater discharges from septic systems and wastewater treatment plants. Phosphorus in water has been linked to reductions in oxygen necessary for fish to breathe, algae that turn waterbodies green and algae and algae by-products that degrade drinking water.

Currently, over 70 waterbodies in New York State are impaired due to phosphorus including: portions of Lake Ontario, Lake Champlain, Onondaga Lake, New York City drinking water reservoirs and the Chesapeake Bay Watershed as well as many other smaller ponds and lakes statewide. "Impaired" means that use of the waterbody, such as for drinking water, fisheries or recreation, is negatively affected by a pollutant. Even when a waterbody has not been designated as impaired, it can have degraded water quality due to phosphorus.

The Economic Cost of Phosphorus

Phosphorus-impaired waters can negatively impact recreation and tourism activity, an important component of many local economies. Protecting drinking water from phosphorus' effects can be costly. Municipalities are required to meet state water quality standards that limit the amount of phosphorus in discharges from wastewater treatment plants. Removing phosphorus from wastewater treatment plant discharges can cost up to \$20 per pound.

Why Target Dishwasher Detergent?

In the 1970's NY banned phosphorus in most household cleaners including laundry detergents and hand dishwashing liquids. Of the remaining sources of phosphorus, dishwasher detergents contribute significant percentages of the phosphorus entering the State's waters and are reasonably easy and inexpensive to control. Consider:

- Dishwasher detergents contain up to 9% phosphorus and can account for between 9% and 34% of the phosphorus found in municipal wastewater.
- Phosphorus-free formulations are already available and are priced competitively to their phosphorus-bearing counterparts.
- Keeping phosphorus out of wastewater reduces the cost to municipalities (i.e. taxpayers) of phosphorus removal and disposal.

New York Is Not Alone

Sixteen states have passed similar laws banning the sale of phosphorus-containing dishwasher detergents including Illinois, Indiana, Maryland, Massachusetts, Michigan, Minnesota, Montana, New Hampshire, Ohio, Oregon, Pennsylvania, Utah, Vermont, Virginia, Washington and Wisconsin.

