

# EPA Water Quality Standards Updates and Priorities

HANH SHAW, EPA REGION 10

ERICA FLEISIG, EPA HEADQUARTERS

# June 2019 “Deadlines memo”

- ▶ In June 2019, David Ross, Assistant Administrator for EPA’s Office of Water issued the *Policy for the EPA’s Review and Action on Clean Water Act Program Submittals*.
- ▶ The intent of the policy is to ensure that EPA reviews and acts on state and tribal CWA submittals within the applicable statutory timeframes.
  - ▶ EPA must approve water quality standards submittals within 60 days or disapprove within 90 days.

# August 2019 “Draft guidance memo”

- ▶ In August 2019, Dave Ross issued the *Office of Water Policy for Draft Documents*.
- ▶ This policy specified:
  - ▶ All draft guidance documents issued more than 2 years ago are rescinded
  - ▶ Any draft guidance documents not issued in final form within 2 years of the draft date are automatically rescinded

# August 2019 “Draft guidance memo”

- ▶ This policy affected several WQS-related guidance documents, including:
  - ▶ 2016 Draft Field-Based Methods for Developing Aquatic Life Criteria for Specific Conductivity
  - ▶ 2016 Selenium implementation documents
  - ▶ 2016 Draft Technical Support Document: Recommended Estimates for Missing Water Quality Parameters for Biotic Ligand Model
  - ▶ 2016 Draft Aquatic Life Ambient Estuarine/Marine Water Quality Criteria for Saltwater Copper
  - ▶ 2002 Implementation Guidance for Ambient Water Quality Criteria for Bacteria
- ▶ <https://www.epa.gov/guidance/guidance-documents-managed-office-water>



# August 2019 “Draft guidance memo”

- ▶ The policy specified that any rescinded guidance documents that are important to the national program will need to be re-issued and finalized in a timely manner.
- ▶ Region 10 forwarded one water-related guidance document pertaining to NPDES permitting

# National WQS Priorities

- ▶ Comply with statutory and judicial deadlines
- ▶ Assist states and tribes, in coordination with EPA regional offices
- ▶ Comply with 2015 WQS regulatory revisions
- ▶ Develop implementation tools and guidance
- ▶ Develop new and updated CWA section 304(a) criteria

# Region 10 WQS Priorities

- ▶ Focus on the highest environmental benefit
- ▶ Take timely actions, when possible
  - ▶ Include decisions on TAS applications
- ▶ Continue to reduce the backlog
- ▶ Streamline the Endangered Species Act consultation process
- ▶ Assist states and tribes with revising and/or adopting new WQS



# Federal WQS Rulemakings

- ▶ Aquatic life criteria for aluminum in Oregon
- ▶ Aquatic life criteria for selenium in California (statewide and Bay Delta)
- ▶ Human health criteria for arsenic in Idaho
- ▶ Human health criteria for Washington
- ▶ Human health criteria for tribal waters in Maine



# Updates to National CWA 304(a) Recommended Criteria

- ▶ Recently issued criteria:
  - ▶ Aquatic life criteria for aluminum in freshwaters (December 2018)
  - ▶ Recreational criteria for cyanotoxins (May 2019)
- ▶ On-going efforts:
  - ▶ Aquatic life and human health criteria for PFOA/PFAS
  - ▶ Aquatic life criteria for ions (e.g., chloride and sulfate)
  - ▶ Aquatic life criteria for metals
  - ▶ Nutrient criteria for lakes
  - ▶ Recreational criteria for coliphage

# National Implementation Guidance

- ▶ Cyanotoxins
- ▶ Aluminum
- ▶ Nutrients
- ▶ Selenium

# Initiatives Related to WQS Variances and Uses

- ▶ Tools for communities with combined sewer overflows (CSOs)
- ▶ Supporting and streamlining use changes
- ▶ Support for small communities



# Other National Efforts to Assist States and Tribes

- ▶ Criteria search tool
- ▶ Support for protection of non-primary contact activities
- ▶ Literature reviews
- ▶ Sanitary survey app

# Upcoming Meetings

- ▶ WQS Academies
- ▶ Aquatic Life Criteria for Toxics Outreach Workshops
- ▶ National Recreational Water Quality Workshop