

WATER QUALITY

**Some of the below regulatory summaries were referenced from the U.S. Northern Review publications and Fedcenter.gov.

STATE

PROPOSED:

MARYLAND WATER QUALITY TRADING PROGRAM. MDE proposes to adopt [new](#) Regulations .01 - .14 under a new chapter, COMAR 26.08.11, Maryland Water Quality Trading Program. The proposed regulation establishes a trading program that provides greater flexibility and reduces the cost of achieving the total maximum daily loads (TMDLs) established for the Chesapeake Bay while being protective of local water quality.

FEDERAL

PROPOSED:

WATERS OF U.S. RULE. EPA and USACE have issued a proposed rule to amend the effective date of the 2015 Clean Water Rule to two years from the date of final action on this proposal ([82 FR 55542](#)). With this proposed rule, the agencies are seeking a two-year delay in the effective date of the 2015 rule that defined waters of the United States. For more information, click [here](#). A memorandum for the record explaining the agencies' proposed actions is available [here](#).

OTHER:

PERCHLORATE IN DRINKING WATER. EPA announced a public peer review meeting and final list of panelists for external peer review of the agency's [Draft Report: Proposed Approaches to Inform the Derivation of a Maximum Contaminant Level Goal \(MCLG\) for Perchlorate in Drinking Water](#), referred to as the draft MCLG Approaches Report. The public peer review meeting is scheduled for 29-30 JAN 18. The public comment period for the draft MCLG Approaches Report ended in November. The peer review charge questions are available at regulations.gov (Docket ID No. EPA-HQ-OW-2016-0439).

NATIONWIDE PERMITS. USACE has issued a [report](#) that examined actions it could take to modify existing regulations that potentially burden the development and use of domestically produced energy resources, such as oil, natural gas, coal, and nuclear energy, and renewable energy ([82 FR 56192](#)). The report identifies changes that could be made to several nationwide permits that authorize activities under section 10 of the Rivers and Harbors Act of 1899 and CWA section 404 that are associated with domestic energy production and use.

WATER POLLUTANT LOADING TOOL. EPA is [improving access](#) to the Water Discharge Monitoring Report (DMR) Pollutant Loading Tool, accessible on the agency's [Enforcement and Compliance History Online \(ECHO\) website](#). The loading tool will help users determine who is discharging, what pollutants they are discharging and how much, and where they are discharging. It calculates pollutant loadings from permit and DMR data and offers a variety of ways to customize searches. To learn how to navigate the

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modernized water pollutant loading tool, click [here](#).

STORMWATER RUNOFF TOOL: GREEN INFRASTRUCTURE. EPA developed the [National Stormwater Calculator](#) to help support local, state, and national stormwater management objectives and regulatory efforts to reduce runoff through infiltration and retention using green infrastructure practices such as low impact development controls.

REPORT: WATER POLLUTION TRADING. GAO has released a report on state use of nutrient credit trading programs to meet nutrient discharge limits, finding that some states have trading programs to help address nutrient pollution, but use has been limited ([GAO-18-84](#)). CWA establishes the basic structure for regulating discharges of pollutants, including excess nutrients. Under CWA, authorized states—assisted and overseen by EPA—set limits on nutrients impairing a water body and limits on point source discharges. EPA encourages states to use nutrient credit trading to address nutrient pollution. According to EPA, trading allows a point source to meet nutrient discharge limits by buying pollutant credits from a source that has reduced its discharges more than required. GAO’s report describes: (1) the extent to which nutrient credit trading programs have been used and what the outcomes of the programs have been; (2) how states and EPA oversee nutrient credit trading programs; and (3) what key factors stakeholders view as affecting participation in nutrient credit trading.

REPORT: LEAD AND COPPER RULE. GAO has conducted a review of state data submitted to EPA in compliance with the Lead and Copper Rule (LCR), which set national standards to reduce lead in drinking water ([GAO-17-424](#)). The LCR applies to all water systems providing drinking water to most of the U.S. population, except places where people do not remain for long, such as campgrounds. In its report, GAO makes recommendations for EPA to supplement its current oversight, including that EPA require states to report data on lead pipes, and EPA develop a statistical analysis to identify water systems that might pose a higher likelihood of LCR violations.

REPORT: DRINKING WATER AND WASTEWATER INFRASTRUCTURE. GAO issued a report on federal programs that provide funding for drinking water and wastewater infrastructure ([GAO-17-559](#)). EPA estimates that addressing the nation’s water infrastructure needs will take about \$655 billion over the next 20 years. GAO looked at programs in eight federal agencies that help communities plan for these needs, or provide funding to help address them. For example, the Bureau of Reclamation has helped some communities assess their future water supply and demand. In addition, EPA and the U.S. Department of Agriculture (USDA) provided more than \$4 billion in grants and loans to help pay for water infrastructure projects in 2016. GAO also noted that previously, it recommended that EPA and USDA coordinate to limit any duplicate efforts, and that they have taken steps to do so.

REPORT: EPA EFFORTS INCREASE USE OF GREEN INFRASTRUCTURE. Green infrastructure uses natural processes and materials to slow stormwater so it is absorbed and filtered by the soil, reducing pollution to surface waters. EPA provides multiple resources to educate and assist municipalities on the use of green infrastructure. In 2016, the agency launched a pilot project with five municipalities to encourage states, communities, and municipalities to develop long-term stormwater plans to increase their use of green infrastructure. GAO reviewed the pilot project and surveyed municipalities that have entered into

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consent agreements with EPA to reduce the incidence of combined sewer overflows, when raw sewage is discharged into waterbodies ([GAO-17-750](#)). GAO issued a report that: (1) describes the extent to which selected municipalities are incorporating, and funding, green infrastructure in stormwater management efforts; (2) describes what challenges, if any, municipalities reported facing in incorporating green infrastructure into stormwater management efforts; and (3) examines efforts EPA is taking to help municipalities use green infrastructure. GAO recommends that EPA document agreements, when working with municipalities and other stakeholders, on how they will collaborate when developing long-term stormwater plans. EPA generally agreed with GAO's recommendation and plans to implement it over the next 12 to 18 months.

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STATE

FINAL:

REVISIONS TO WATER SYSTEM SUPERVISION PROGRAM. USEPA issued a tentative approval of amendments made by the state of Maryland to its Public Water System Supervision Program ([81 FR 74799](#)). Maryland has adopted drinking water regulations for the Stage 2 Disinfectants and Disinfection By-Products Rule. USEPA has determined that Maryland's Stage 2 Rule meets all minimum federal requirements, and that it is no less stringent than the corresponding federal regulation. Barring adverse comment and or requests for public hearing the determination became effective on 28 NOV 16.

2016 TRIENNIAL REVIEW OF WATER QUALITY STANDARDS The Maryland Department of the Environment (MDE) has released the 2016 Triennial Review of Water Quality Standards. The federal Clean Water Act (CWA) requires states to review their water quality standards every three years and revise the standards as necessary. MDE is soliciting stakeholder input on proposed amendments concerning designated uses, water quality criteria, and antidegradation. Based on comments received, MDE plans to formally propose new and/or revised regulations by fall 2016.

SB 141 (HB 602) AUTHORIZATION FOR ANNE ARUNDEL COUNTY TO EXPAND WATER OR WASTEWATER SERVICES SB 141 (Public Act: 353) authorizes Anne Arundel County to establish, modify, or abolish special taxing districts for the purpose of providing or expanding water or wastewater services. A notice of the bill's introduction was published in the February 2016 Northern Review. The bill was signed by the governor on 10 MAY 16 and becomes effective on 1 JUL 16.

PCB TMDL FOR BUSH RIVER WATERSHED IN HARFORD COUNTY MDE has released the total maximum daily load (TMDL) of polychlorinated biphenyls in the Bush River, Oligohaline Chesapeake Bay Tidal Segment, Harford County, Maryland. MDE has identified the waters of the Bush River on the state's 2014 Integrated Report as impaired by nitrogen, phosphorus, and PCBs in fish tissue. Once final, the TMDL will be submitted to USEPA for review and approval. The approved TMDL will support measures needed to attain water quality standards in the Bush River watershed. The comment period closed on 10 MAR 2016.

PROPOSED:

PATUXENT RIVER PCB TMDL. MDE has issued a draft Total Maximum Daily Load (TMDL) of polychlorinated biphenyls (PCBs) in the Patuxent River Mesohaline (PAXMH), Oligohaline (PAXOH), and Tidal Fresh (PAXTF) Chesapeake Bay Segments. MDE identified the tidal portion of the "Patuxent River Lower" eight-digit basin, which includes the waters of the PAXMH and PAXOH tidal segments, on the state's 2014 Integrated Report of surface water quality as impaired by PCBs in fish tissue (based on fish tissue data collected in 2005). Recently collected fish tissue data has demonstrated that the PAXMH and PAXOH tidal segments are impaired by PCBs for different species of fish. Therefore, the listing will be separated into individual listings for the PAXMH and PAXOH tidal segments in the state's 2016 Integrated Report. The draft TMDL addresses total PCB (tPCB) listing for the PAXMH, PAXOH, and PAXTF tidal segments. The comment period closed on 31 MAR 17.

GENERAL PERMITS FOR DISCHARGES FROM SMALL MS4S. The Maryland Department of the Environment (MDE) has issued two separate notices of tentative determinations to issue different National Pollutant Discharge Elimination System (NPDES) General Permits (GPs). The GPs being issued are: (1) [Permit No. 13-IM-5500](#) - General Permit for

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Discharges from Small Municipal Separate Storm Sewer Systems (MS4s); and (2) [Permit No. 13-SF-5501](#) - General Permit for Discharges from State and Federal Small MS4s. MDE has drafted the GPs to comply with USEPA regulations and to control stormwater pollutant discharges from small MS4s. The permits are issued for five years. Public hearings are scheduled for both GPs on 6 FEB 17 and comments for both are due by 30 MAR 17.

DRAFT 2016 INTEGRATED REPORT OF SURFACE WATER QUALITY. MDE [released](#) the Draft 2016 Integrated Report of Surface Water Quality (IR) for public review and comment. The IR combines water quality reports required under CWA sections 305(b), 314, and 303. The IR also assists in other ways relating to water quality planning for state, county, local, and non-governmental organizations. MDE has also released an [IR fact sheet](#).

REDUCTION OF FEES ASSESSED BY BOARD OF WATERWORKS AND WASTE SYSTEMS OPERATORS The Maryland Department of the Environment (MDE) has [proposed](#) amendments to Regulation .07 under COMAR 26.06.01, Payment of Fees. The amendments reduce the fees assessed by the Maryland Board of Waterworks and Waste Systems Operators for items and services provided.

ADOPTION OF FEDERAL REVISED TOTAL COLIFORM RULE MDE proposed amendments to COMAR 26.04.01, Quality of Drinking Water in Maryland. The amendments incorporate federal regulations under the Safe Drinking Water Act (SDWA) for the Revised Total Coliform Rule (RTCR), and adopt a minor revision to the Stage 2 Disinfection Byproduct Rule monitoring requirements.

FEDERAL

FINAL:

POSTPONEMENT OF STEAM ELECTRIC POWER PLANT EFFLUENT GUIDELINES. EPA issued a final rule announcing that it intends to conduct a rulemaking to potentially revise certain best available technology (BAT) economically achievable effluent limitations and pretreatment standards for existing sources (PSES) for the steam electric power generating point source category ([82 FR 43949](#)). The final rule became effective on 18 SEP 17.

CWA METHODS UPDATE RULE FOR ANALYSIS OF EFFLUENT. EPA issued a final rule that modifies the testing procedures approved for analysis and sampling under CWA ([82 FR 40836](#)). The final rule became effective on 27 SEP 17.

DRINKING WATER SAMPLE TEST PROCEDURES. EPA issued a final rule approving 17 analytical methods for determining contaminant concentrations in drinking water samples collected under SDWA ([82 FR 34861](#)). Regulated parties required to sample and monitor may use testing methods already established in existing regulations or the alternative testing methods approved in this action. The new methods are listed on EPA's drinking water methods [website](#). The final rule became effective on 27 JUL 17.

HR 1893 GREAT LAKES AND FRESH WATER ALGAL BLOOM INFORMATION ACT. The bill requires the administrator of the U.S. National Oceanic and Atmospheric Administration to create an electronic database of research and information on the causes of and corrective actions being taken with regard to algal blooms in the Great Lakes, their tributaries, and other surface fresh waters. The bill was referred to the U.S. House Subcommittee on Water, Power, and Oceans.

GENERAL PERMIT FOR STORMWATER DISCHARGES FROM CONSTRUCTION ACTIVITY. All 10 EPA regions have issued the 2017 NPDES general permit for stormwater discharges from construction activities to waters of the U.S. (2017 Construction General Permit) ([82 FR 6534](#)). The permit provides coverage to eligible operators in all areas of

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the country where EPA is the NPDES permitting authority. This regulatory action may or may not be affected by the federal regulatory freeze.

POSTPONEMENT OF EFFLUENT LIMITATIONS GUIDELINES. EPA has [announced](#) its decision to reconsider the final rule issued on [3 NOV 15](#), which amended effluent limitations guidelines and standards for the steam electric power generating category, commonly referred to as the ELG Rule. ([82 FR 19005](#)). The rule set the first federal limits on the levels of toxic metals in wastewater that can be discharged from certain coal-fired steam electric power plants. The postponement became effective on 25 APR 17.

NPDES MS4S GENERAL PERMIT REMAND RULE. USEPA issued a final rule [modifying](#) the Phase II stormwater regulations relating to the use of general permits for small MS4s ([81 FR 89320](#)). The final rule establishes two alternative approaches an NPDES permitting authority can use to issue and administer small MS4 general permits that address the court remand. This final rule became effective on 9 JAN 17.

REVISIONS TO UNREGULATED CONTAMINANT MONITORING RULE. USEPA has issued a final rule promulgating the Unregulated Contaminant Monitoring Rule (UCMR 4) ([81 FR 92666](#)). UCMR 4 requires larger public water systems to collect occurrence data for contaminants that may be present in drinking water but are not yet subject to drinking water standards. The rule identifies 11 analytical methods to support water system monitoring for a total of 30 chemical contaminants. This rule applies to all large community and non-transient non-community water systems serving more than 10,000 people. The final rule became effective on 19 JAN 17.

DRINKING WATER CONTAMINANT CANDIDATE LIST. USEPA has published a final list of contaminants that are currently not subject to proposed or promulgated national primary drinking water regulations ([81 FR 81099](#)). These contaminants are known or anticipated to occur in public water systems and may require regulation under the Safe Drinking Water Act (SDWA). The list is the [Fourth Contaminant Candidate List](#) (CCL 4) published by USEPA since the SDWA amendments of 1996.

PESTICIDE USE AND WATER QUALITY LAWS. In November, the [Congressional Research Service](#) (CRS) released a report about the emerging conflict over interpretation and implementation of the Federal Insecticide, Fungicide, and Rodenticide Act and the Clean Water Act. The full report can be found [here](#).

NATIONWIDE PERMITS PROGRAM: ISSUES AND REGULATORY DEVELOPMENTS. In November, CRS issued a report on the USACE nationwide permit program. Permits issued by USACE authorize various types of development projects in wetlands and other waters of the United States. To read the report, click [here](#).

WATER QUALITY ISSUES IN 114TH CONGRESS: AN OVERVIEW. CRS has released a report on water quality issues facing the 114th Congress. To read the full report, click [here](#).

TREATMENT OF INDIAN TRIBES IN A SIMILAR MANNER AS STATES FOR PURPOSES OF SECTION 303(D) OF THE CLEAN WATER ACT (FINAL) In section 518(e) of the CWA, Congress authorized the EPA to treat eligible federally recognized Indian tribes in a similar manner as a state for purposes of administering section 303 and certain other provisions of the CWA, and directed the agency to promulgate regulations effectuating this authorization ([81 FR 65901](#)). This final rule became effective 26 October 2016.

NPDES ELECTRONIC REPORTING: IMPLEMENTATION. In 2015, USEPA issued the final NPDES Electronic Reporting Rule, which requires regulated entities to electronically report information required by the NPDES permit program ([81 FR 62395](#)). USEPA will update the list on its website and in the Federal Register if there are any changes. For more information about the NPDES electronic reporting rule, click [here](#).

DRINKING WATER ALTERNATIVE TEST METHODS USEPA has issued a final rule approving alternative test methods for use in measuring contaminant levels to determine compliance with national primary drinking water

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regulations ([81 FR 46839](#)). The final rule makes 16 additional methods available for analyzing drinking water samples. The final rule became effective on 19 JUL 16.

FRESH WATER QUALITY CRITERIA FOR SELENIUM USEPA has released the final updated CWA Section 304(a) recommended national chronic aquatic life criterion for selenium in fresh water ([81 FR 45285](#)). The criterion supersedes the agency's 1999 recommended national acute and chronic aquatic life criteria for selenium.

ESTUARINE/MARINE WATER QUALITY CRITERIA FOR COPPER USEPA has issued an update to the aquatic life ambient water quality criteria for copper in estuarine/marine waters ([81 FR 49982](#)).

FOREST ROAD STORMWATER PERMITTING USEPA issued a [decision](#) that no additional regulations are needed to address stormwater discharges from forest roads under the federal Clean Water Act (CWA). Click [here](#) to read more by the National Association of State Foresters.

STORMWATER MANAGEMENT IN RESPONSE TO CLIMATE CHANGE IMPACTS: LESSONS FROM CHESAPEAKE BAY AND GREAT LAKES REGIONS USEPA announced the availability of the final report, [Stormwater Management in Response to Climate Change Impacts: Lessons from the Chesapeake Bay and Great Lakes Regions'](#) ([81 FR 31633](#)), which describes insights from USEPA and National Oceanic and Atmospheric Administration (NOAA) sponsored workshops with communities in the Chesapeake Bay and Great Lakes regions to address climate change in stormwater adaptation efforts.

NATIONAL RIVERS AND STREAMS ASSESSMENT USEPA released its final report on the National Rivers and Streams Assessment (NRSA) 2008/2009 ([81 FR 15100](#)). The NRSA describes the results of the nationwide probabilistic survey conducted in the summers of 2008 and 2009 by USEPA and its state, tribal, and federal partners. For more information, click [here](#).

OBAMA VETOES RESOLUTION SEEKING TO OVERTURN CLEAN WATER RULE President Obama [vetoed](#) a congressional resolution that would have overturned the USEPA/USACE Clean Water Rule (definition of Waters of the United States).

PUBLIC-PRIVATE INNOVATION STRATEGY TO BUILD A SUSTAINABLE WATER FUTURE The Obama Administration announced a public-private water innovation strategy which includes a two-part approach to address the impacts of climate change on the use and supply of the nation's water resources and calls help significantly scale up research and investment in water efficiency solutions. The administration released a [new report](#) that lays out the water innovation strategy in greater detail and proposes strategies for addressing challenges in the decades ahead; and launched a new [Center for Natural Resources Investment](#) at the U.S. Department of the Interior (DOI).

EMERGING REGULATIONS TO ADDRESS POTENTIAL HAZARDOUS SUBSTANCES RELEASES On 16 FEB 16, USEPA entered into a [consent decree](#) that requires it to issue proposed regulations “establishing procedures, methods, and equipment and other requirements for equipment to prevent discharges of hazardous-substances from onshore facilities, and to contain such discharges” under authority of the Clean Water Act (CWA).

DRINKING WATER CONTAMINANT CANDIDATE LIST - USEPA CONSIDERING WHETHER TO REGULATE STRONTIUM USEPA issued final regulatory determinations not to issue national primary drinking water regulations for four contaminants (dimethoate; 1,3-dinitrobenzene; terbufos; and terbufos sulfone) of the 116 contaminants listed on the Third Contaminant Candidate List ([81 FR 13](#)).

PROPOSED:

EXTENSION OF COMMENT PERIOD—DEFINITION OF WATERS OF THE UNITED STATES. The U.S. Army Corps of Engineers and EPA have issued a proposed rule extending the comment period for the previously issued proposed

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rule “[Definition of ‘Waters of the United States’—Recodification of Pre-existing Rules](#)” ([82 FR 39712](#)). The agencies are extending the comment period for 30 days in response to stakeholder requests for an extension.

CLEAN WATER RULE. EPA and the U.S. Army Corps of Engineers [proposed](#) rescinding the Clean Water Rule and re-codifying the regulatory text that existed prior to the 2015 definition, “waters of the United States,” consistent with [EO 13778](#) ([82 FR 34899](#)). Once finalized, this action would provide certainty pending a second rulemaking in which the agencies will substantively re-evaluate the definition of “waters of the United States.” For more information, click [here](#).

STEAM ELECTRIC POINT SOURCE EFFLUENT. EPA issued a proposed rule to postpone certain compliance dates in the effluent limitations guidelines and standards for the steam electric point source category under CWA, published on [3 NOV 15](#) ([82 FR 26017](#))., EPA proposes to postpone the compliance dates for the new, and more stringent, best available technology economically achievable effluent limitations and pretreatment standards for each of the following waste streams: fly ash transport water, bottom ash transport water, flue gas desulfurization wastewater, flue gas mercury control wastewater, and gasification wastewater. Compliance dates would be postponed until EPA completes reconsideration of the 2015 Rule.

[S. 1137](#) CLEAN SAFE RELIABLE WATER INFRASTRUCTURE ACT. S. 1137 amends the federal SDWA and the Federal Water Pollution Control Act to include provisions relating to drinking water and wastewater infrastructure. The bill was referred to the Environment and Public Works Committee.

REPORT TO CONGRESS ON FUTURE WATER RESOURCES. The U.S. Army Corps of Engineers (USACE) is soliciting proposals from non-federal interests for feasibility studies and modifications to USACE water resource development projects or feasibility studies ([82 FR 17418](#)). The proposals will be included in the Army’s annual report to Congress on future water resources development.

INTENTION TO REVIEW AND RESCIND OR REVISE THE CLEAN WATER RULE. In accordance with a presidential directive, signed on 28 FEB 17 ([EO 13778](#)), EPA and the Department of the Army have announced their collective intention to review and rescind or revise the Clean Water Rule ([82 FR 12532](#)).

REQUEST FOR PUBLIC COMMENTS ON PEER REVIEW CANDIDATES FOR PROPOSED MODELING APPROACHES FOR A HEALTHBASED BENCHMARK FOR LEAD IN DRINKING WATER. EPA has requested comments on the candidates being considered as expert peer reviewers for the draft modeling report, Proposed Modeling Approaches for a Health-Based Benchmark for Lead in Drinking Water ([82 FR 14361](#)).

REVIEW OF CLEAN WATER RULE. President Trump issued an [Executive Order](#) on 28 FEB 17, calling on the EPA and Department of Army to review and rescind or revise the “[Clean Water Rule: Definition of ‘Waters of the United States](#),” 80 FR 37054, effective 29 JUN 15. The EO further directs the agencies to consider interpreting the term “navigable waters” as defined in 33 U.S.C. 1362(7), consistent with the opinion of Justice Antonin Scalia in *Rapanos v. United States*, 547 U.S. 715 (2006).

DRAFT HUMAN HEALTH RECREATIONAL AMBIENT WATER QUALITY CRITERIA AND/OR SWIMMING ADVISORIES FOR CYANOBACTERIAL TOXINS. USEPA released the [draft](#) Human Health Recreational Ambient Water Quality Criteria and/ or Swimming Advisories for Microcystins and Cylindrospermopsin – 2016 ([81 FR 91929](#)). The draft contains concentration recommendations for the toxins microcystins and cylindrospermopsin in recreational water protective of human health while swimming or participating in other activities on the water.

PERCHLORATE IN DRINKING WATER: PEER REVIEW OF BACKGROUND MATERIALS. USEPA is developing a national primary drinking water regulation for perchlorate([81 FR 67350](#)).

Federal Flood Risk Management Standard (FFRMS) Federal Emergency Management Agency (FEMA) announced

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a proposed rulemaking revising 44 CFR part 9, *Floodplain Management and Protection of Wetlands*, to implement the Federal Flood Risk Management Standard (FFRMS) ([81 FR 57402](#)). FEMA is also proposing a supplementary policy (FEMA Policy: 078-3) that would further clarify how FEMA applies the FFRMS to establish the floodplain for FEMA Federally Funded Projects.

NATIONAL HANDBOOK OF CONSERVATION PRACTICES. The Natural Resources Conservation Service (NRCS) has proposed to issue a series of revised conservation practice standards in the National Handbook of Conservation Practices ([81 FR 56579](#)).

NPDES APPLICATIONS AND PROGRAM UPDATES USEPA extended the public comment period to 2 Aug 16 for its [May 2016 proposal](#) to update and streamline its existing NPDES regulations ([81 FR 41507](#)). The amendments cover 15 topics in the major categories of permit applications, water quality-based permitting, permit objection, documentation and process efficiencies, vessels exclusion, and CWA Section 401 certification process. For more information, click [here](#).

2016 EFFLUENT GUIDELINES PROGRAM PLAN USEPA released the [Preliminary 2016 Effluent Guidelines Program Plan](#) for public comment ([81 FR 41535](#)). The plan identifies new or existing industrial categories selected for effluent guidelines or pretreatment standards and provides a schedule for their development. The 2016 plan builds upon the [2015 Annual Effluent Guidelines Review Report](#). For more information, click [here](#). A fact sheet is available [here](#).

2017 CONSTRUCTION GENERAL PERMIT USEPA issued the [draft 2017 NPDES general permit](#) for stormwater discharges from construction activities, also referred to as the 2017 Construction General Permit ([81 FR 21328](#)) to provide permit coverage to eligible operators in all areas of the country where EPA is the NPDES permitting authority. For more information, click [here](#).

PROTECTING AQUATIC LIFE FROM EFFECTS OF HYDROLOGIC ALTERATION USEPA and the U.S. Geological Survey (USGS) issued a Notice of Availability of the draft technical report, [Protecting Aquatic Life from Effects of Hydrologic Alteration](#) ([81 FR 10620](#)).

NPDES MUNICIPAL SEPARATE STORM SEWER SYSTEM GENERAL PERMIT REMAND USEPA issued a proposed rule to change the regulations governing small MS4 permits in response to a remand from the U.S. Court of Appeals for the Ninth Circuit ([81 FR 415](#)).

PESTICIDE GENERAL PERMIT All 10 USEPA regions have proposed the draft 2016 NPDES Pesticide General Permit (PGP) ([81 FR 4289](#)). The draft PGP covers point source discharges from the application of pesticides to waters of the United States. Once finalized, the draft 2016 PGP will replace the existing permit that expires 31 OCT 2016.

NATIONAL OIL AND HAZARDOUS SUBSTANCES POLLUTION CONTINGENCY PLAN USEPA has issued a proposed rule to revise the National Oil and Hazardous Substances Pollution Contingency Plan ([81 FR 3982](#)).

OTHER

PEER REVIEW MATERIALS TO INFORM DECISION MAKING ON PERCHLORATE. EPA released the materials intended for expert peer review in support of EPA's Safe Drinking Water Act decision making for perchlorate ([82 FR 43354](#)). In a companion [notice](#), EPA also released an interim list of peer reviewers and draft charge questions. EPA's draft report is available [here](#).

ASSESSMENT AND TOTAL MAXIMUM DAILY LOAD (TMDL) TRACKING AND IMPLEMENTATION SYSTEM (ATTAINS). ATTAINS is an [online system](#) for accessing information about the conditions of the nation's surface waters. CWA requires states, territories, and authorized tribes to monitor water pollution and report to EPA every

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two years on the waters they have evaluated. The information reported to EPA by states is available in ATTAINS; the system's web reports provide users with easy access to information on the status of waters at the national, state, and site-specific levels.

WATER MANAGEMENT PROGRAMS TO REDUCE GROWTH AND TRANSMISSION OF LEGIONELLA. The Centers for Disease Control and Prevention (CDC) requested information on water management programs (WMPs) intended to reduce Legionella growth and transmission in buildings at increased risk ([82 FR 39439](#)). CDC has developed a toolkit, *Developing a Water Management Program to Reduce Legionella Growth & Spread in Buildings: A Practical Guide to Implementing Industry Standards*, available [here](#).

WATER QUALITY CRITERIA FOR ALUMINUM. EPA released the [Draft Updated Aquatic Life Ambient Water Quality Criteria for Aluminum in Freshwater](#) ([82 FR 35198](#)). The freshwater criteria for aluminum is intended to protect aquatic life from harmful effects of aluminum toxicity. For more information about aluminum in water, including a fact sheet and EPA's responses to peer review comments, click [here](#).

WATER INFRASTRUCTURE FINANCING. EPA [launched](#) the [Water Finance Clearinghouse](#), a web-based portal to help communities make informed financing decisions for their drinking water, wastewater, and stormwater infrastructure needs. The clearinghouse provides communities with a searchable database with more than \$10 billion in water funding sources and more than 550 resources to support local water infrastructure projects.

NATIONAL STORMWATER CALCULATOR. EPA released the [National Stormwater Calculator](#) (SWC) to help support local, state, and national stormwater management objectives and regulatory efforts to reduce runoff through infiltration and retention using green infrastructure (infrastructure based on natural processes) practices as low impact development controls. For more information, click [here](#).

HARMFUL ALGAL BLOOMS. EPA released a [suite of materials](#) states and communities can use to protect public health during harmful algal bloom (HAB) outbreaks caused by cyanobacteria. Public health officials and outdoor water recreational managers can use EPA's online resources to develop a cyanotoxin monitoring program, communicate potential health risks to the public, and address HAB outbreaks. In addition, in June, the Congressional Research Service (CRS) released a [report](#) on the causes, challenges, and policy considerations associated with freshwater HABs. The report discusses steps that Congress, federal agencies, and states have taken to address HABs and nutrients that contribute to their occurrence.

NON-DISCLOSURE OF WATER SOURCE LOCATIONS. In May, the U.S. Court of Appeals for the District of Columbia Circuit affirmed a lower court's ruling that the Bureau of Reclamation permissibly withheld water well location and depth information from disclosure under Exemption 9 of the Freedom of Information Act, 5 U.S.C. 552(b)(9). The Court held that Exemption 9 permits the government to withhold information and maps disclosing the locations and depth of certain water wells. The depth and location of wells qualifies as "geological and geophysical information and data, including maps, concerning wells" under Exemption 9. The court decision is available [here](#).

EXPEDITED APPROVAL OF ALTERNATIVE TEST PROCEDURES FOR THE ANALYSIS OF CONTAMINANTS UNDER THE SAFE DRINKING WATER ACT. EPA approved alternative testing methods for use in measuring the levels of contaminants in drinking water and determining compliance with national primary drinking water regulations ([82 FR 34861](#)). EPA is using this streamlined authority to make 17 additional methods available for analyzing drinking water samples. This became effective 27 July 2017.

SAMPLING GUIDANCE FOR UNKNOWN CONTAMINANTS IN DRINKING WATER. EPA has issued [Sampling Guidance for Unknown Contaminants in Drinking Water](#). The guidance provides utilities, emergency responders, and laboratories with recommended procedures for conducting routine and baseline monitoring in response to a contamination incident and sampling in support of remediation or decontamination efforts.

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PROTECTION ACTION GUIDE FOR DRINKING WATER AFTER A RADIOLOGICAL INCIDENT. EPA has amended chapter 4 of the [2016 Protection Action Guidelines \(PAG\) Manual](#) to incorporate guidance for radiation protection decisions concerning drinking water ([82 FR 6498](#)).

LEAD AND COPPER RULE. USEPA released a [white paper](#) on revisions to the federal Lead and Copper Rule (LCR). USEPA's goal for the LCR revisions is to strengthen corrosion control treatment in drinking water to further reduce exposure to lead and copper and to identify additional actions to equitably reduce public exposure to lead and copper, when corrosion control treatment alone is not effective. To learn more, visit USEPA's LCR long-term revisions [website](#).

COMMUNITY SOLUTIONS FOR VOLUNTARY LONG-TERM STORMWATER PLANNING. USEPA [launched](#) a new stormwater planning initiative to help communities plan long-term strategies for managing stormwater pollution. The initiative includes a step-by-step [guide](#) to help communities develop long-term stormwater plans, a web-based toolkit for the planning process, and technical assistance for five communities to develop plans that will be used as national models.

PERFLUORINATED COMPOUNDS IN SMALL DRINKING WATER SYSTEMS, TECHNICAL ADVISORY FOR LABORATORY ANALYSIS. USEPA [hosted a webinar](#) for small water systems on the challenges faced by small water systems to detect and treat 14 perfluoroalkyl acids (PFAAs) in drinking water. The webinar had three components: (1) challenges with developing USEPA-approved Test Method 537 to detect the compounds and issues that small systems should be aware of when collecting samples for analysis; (2) an overview of studies on PFAAs in the environment; and (3) a discussion of which methods can successfully treat PFAAs in drinking water, including use of USEPA's [Drinking Water Treatability Database](#) to identify treatment methods for PFOA and PFOS in drinking water. Click [here](#) to view a recording of the webinar. In a related matter, USEPA issued a [technical advisory](#) addressing laboratory analysis of PFOA using USEPA Test Method 537.

STATE OR TRIBAL ASSUMPTION OF DREDGE AND FILL PERMITTING. USEPA is undertaking an effort to assist states or tribes that may wish to assume permitting of dredge and fill activities pursuant to section 404(g) of the Clean Water Act (CWA) ([81 FR 62123](#)). For more information about the Assumable Waters Subcommittee, click [here](#).

NATIONAL WATER FORECAST MODEL. The National Oceanic and Atmospheric Administration (NOAA) has launched a new [National Water Model](#) forecasting tool that simulates how water moves throughout the nation's rivers and streams, generating hourly forecasts for an entire river network.

ECHO DATABASE ADDS STORMWATER DISCHARGE. USEPA's Enforcement and History Online (ECHO) database has [added](#) a new search interface that allows users to identify facilities that discharge industrial stormwater under USEPA's multi-sector general permit.

GUIDE FOR CONSIDERING CLIMATE CHANGE IN COASTAL CONSERVATION The National Oceanic and Atmospheric Administration (NOAA) released a [new guide](#) providing a step-by-step approach for incorporating climate change information into new or existing conservation plans.

PERCHLORATE IN DRINKING WATER: PEER REVIEWERS USEPA has expanded the scope of its March 2016 request for nominations for peer reviewers for perchlorate in drinking water ([81 FR 35760](#)).

LIFETIME HEALTH ADVISORIES FOR PFOA AND PFOS IN DRINKING WATER USEPA issued lifetime health advisories for PFOA and PFOS in drinking water ([81 FR 33250](#)). To view a fact sheet on the new health advisories, click [here](#). To read more, click [here](#).

AQUATIC LIFE WATER QUALITY STANDARDS: CADMIUM USEPA released updated recommended aquatic life water quality criteria for cadmium ([81 FR 19176](#)).

WATER QUALITY—ARCHIVED

MUSTS FOR USTS USEPA's [Musts for USTs booklet](#) has been updated to reflect the 2015 revisions to the underground storage tank (UST) regulations. For more information, click [here](#).

DRINKING WATER MAPPING TOOL USEPA [released](#) an online tool, the Drinking Water Mapping Application to Protect Source Waters, referred to as [DWMAPS](#).

FY 2017 - 2019 NATIONAL ENFORCEMENT INITIATIVES USEPA has released its [national enforcement initiatives](#) (NEIs) for fiscal years (FY) 2017 through 2019.

USEPA CLIMATE CHANGE ACCOMPLISHMENTS USEPA released its [2015 Highlights of Progress: Responses to Climate Change](#) report.