Office of Water: ORD Participation on Regulatory and Non-Regulatory Activities

Activity HIGH PRIORITY ACTIVITIES Clean Water Act	SAN	Tier	Summary	Dates	Program Contact	NERL	NHEERL	NRMRL	NCEA	NCER	OSP Contact
Vessel Vacatur	5162	1	The court vacated an exemption in the CWA excluding discharges incidental to the normal operations from a ship from NPDES permitting. While the agency is appealing the decision in the 9th Circuit, OWM is simultaneously evaluating permitting options as the exemption will be vacated as of September 30, 2008. Ballast water was the focus of the lawsuit, but all incidental discharges are included in the vacatur.	Option Selection 10/2007	Ruby Cooper, 564-0757	John Darling	Henry Lee	Ray Frederick	Mike Slimak		Valerie Chan
Effluent Guidelines for Construction and Development	5119	1	Develop ELG for the Construction and Development Point Source Category.	**Proposed Plan:** FAR 10/03/08. **Final Plan:** Option Selection 07/22/09; FAR 10/16/09.	Jesse Pritts	Steve McCutcheon		Tom O'Connor, Ari Selvakumar, Rich Field, Paul Mayer		Noha Gaber	Valerie Chan
Identifying, Planning and Financing Beneficial Use Projects Using Dredged Material: Beneficial Use Planning Guidance Manual	5088	3	Sediment must be dredged from U.S. ports, harbors, and waterways each year to maintain the nation's navigation system for commercial, national defense and recreational purposes. Most of this dredged material is clean and suitable for beneficial uses such as beach restoration, and habitat enhancement. However, dredged material has not been utilized for its full economic, social, and environmental potential because of the costs and the prevailing view that dredged material is waste. EPA has been working with the USACE on this Benificial Use Manual that presents a framework for identifying, planning and financing beneficial use projects.	Projected signature date 06/8/07	Molly Madden	Joe Schubauer-Berigan (water quality issues) and Dennis Timberlake (contaminants release issues)	Wayne Munns				Valerie Chan

Activity	SAN	Tier	Summary	Dates	Program Contact	NERL	NHEERL	NRMRL	NCEA	NCER	OSP Contact
2008 Effluent Guidelines Program Plan	5064	2	Objective is to verify the significance of specific industry sectors as pollution sources for the purpose of revising or issuing effluent guidelines.	**Proposed Plan**: Option Selection 07/07; FAR 06/25/07. **Final Plan**: Option Selection 05/12/08; FAR 06/16/08.	Carey Johnston 566-1014	Christian Daughton, Irene Ruhoy	--	Mary Stinson, Thabet Tolomay, (Susan Thorneloe)	Michael Griffith	--	Valerie Chan/ Cindy Roberts
National Pollution Discharge Elimination System Permit Requirements for Peak Wet Weather Dischages from Municipal Wastewater Treatment Plants Serving Sanitary Sewer Collection Systems Policy.	4690	2	During periods of wet weather, wastewater flows received by municipal sewage treatment plants can significantly increase, which can create operational challenges for sewage treatment facilities. Where peak flows approach or exceed the design capacity of a treatment plant they can seriously reduce treatment efficiency or damage treatment units. In addition to hydraulic concerns, wastewater associated with peak flows may have low organic strength, which can also decrease treatment efficiencies. One engineering practice that some facilities use to protect biological treatment units from damage and to prevent overflows and backups elsewhere in the system is referred to as wet weather blending. Wet weather blending occurs during peak wet weather flow events when flows that exceed the capacity of the biological units are routed around the biological units and blended with effluent from the biological units prior to discharge	FAR 07/13/06	Kevin Weiss 564-0742	Al Dufour		Ben Blaney, Mark Meckes			Cindy Roberts (EW)

Activity	SAN	Tier	Summary	Dates	Program Contact	NERL	NHEERL	NRMRL	NCEA	NCER	OSP Contact
CAFO Rule Changes from 2nd US Court of Appeals decision	4996	2	Due to a law suit, the Court found that several issues in the rule required revision by EPA. The primary science issue is with the BCT technology assessment for controling and treating pathogens at CAFOs.	FAR for Options A & B as well as a reproposal for Option E scheduled for 6/19/2007, Final Rule and proposed rule for signature 11/20/2007, Option E Option Selection 3/18/2008, Option E FAR 4/29/2008, Option E for signature 9/2/08	Paul Shriner, 566-1076			Laurel Staley, Jim Smith, John Haines			Valerie Chan (EW)
Airport Deicing Fluids Effluent Guidelines	4948	1	The CWA directs EPA to promulgate effluent limitation guidelines and standards that reflect pollutant reductions that can be achieved by industrial point sources using specific technologies. Airports are one such industrial category.	Option Selection 11/2007, Proposed Rule 6/2008	Eric Strassler 566-1026, OWM				Lynn Papa		Valerie Chan
Biosolids/Biennial Review Cycle 2005	NA	NA	Updating the 2003 biosolids rgualtion based on any new data available in the literature since 2003.	There maybe be update on EPA biosolids website by fall 2006.	Rick Stevens 566-1135	Bruce Mintz, Lantis Osemwengie, Bill Brumley, Tammy Jones-Lepp	(Barbara Walton)	Ben Blaney Jim Smith Jim Ryan		(Cynthia Nolt-Helms)	Cindy Roberts (EW)

Activity	SAN	Tier	Summary	Dates	Program Contact	NERL	NHEERL	NRMRL	NCEA	NCER	OSP Contact
Compensatory Mitigation Rule	NA	NA	This is a joint EPA-Corps of Engineers rule to improve compensatory mitigation for activities permitted under Section 404 of the Clean Water Act.	FA 2007	Palmer Hough		Cathy Wigand, Mary Kentula	Tim Canfield, Joe Schubauer-Bergan			Danielle Tillman, Valerie Chan
Effluent guidelines and standards for drinking water supply and treatment	4949	2	CWA Section 304(m)(1)(b) directs EPA to identify categories of sources discharging non-trivial amounts of toxics or non-conventional pollutants for which EPA has not published effluent guidelines. Drinking water supply and treatment facilities are being evaluated for potential regulation.	Option Selection Jan 08 Proposed Rule Jul 08 FRN Dec 08	Tom Born 566-1001	Bruce Mintz	Jennifer Orme-Zavaleta-	James Smith Jeff Yang Greg Sayles Mike Elovitz Chris Impelliteri	Lynn Papa	April Richards	Maggie LaVay
			Economic subgroup		NCEE David Simpson, Matt Massey						Maggie LaVay
New/revised ambient water quality criteria for recreational waters	4967	2	Pursuant to the Beach Act EPA is developing new microbial indicator criteria for beaches.	Science Strategy by 09/06	Steve Schaub 566-1126	Al Dufour	Rebecca Calderon, Tim Wade, Bob Hetes	Mark Rodgers	--	--	Cindy Roberts
Effluent guidelines for vinyl chloride and chlor-alkali	4980	2	Develop ELG for chloroallkali plants	NPRM 2/08 FA 2/11	Samantha Lewis 566-1058			Brian Gullet or Glenn Shaul			Cindy Roberts (EW)
Coral reef task force/Coral reef bioasessment and biocriteria	NA	NA	Review data on disease trend analysis, assist in development of an index of bioindicators for coral reef systems.	Exec. Order	CRTF: Hazel Groman, Biocriteria: Heidi Bell	Richard Zepp, Marirosa Molina	Debbie Santavy, William Fisher, Patricia Bradley, Walt Nelson		Jordan West, Britta Bierwagon		Valerie Chan

Activity	SAN	Tier	Summary	Dates	Program Contact	NERL	NHEERL	NRMRL	NCEA	NCER	OSP Contact
Aquatic life water quality criteria derivation methodology	NA	NA	Coordinate across programs, labs, centers, and Risk Assessment Forum on a new method for deriving water quality criteria for protecting aquatic life.	Ongoing	TBD--	Jim Wickham, Jim Lazorchak	Walter Berry, Russ Erickson, Glen Thursby, Mace Barron, Rick Bennett, Larry Burkhard, Phil Cook		Keith Sappington, Lester Yuan, Michael Griffith		Cindy Roberts

Activity	SAN	Tier	Summary	Dates	Program Contact	NERL	NHEERL	NRMRL	NCEA	NCER	OSP Contact
Amendment to the California Toxics Rule for methylmercury and cadmium	4644		Promulgate ambient water quality criteria for methyl mercury and cadmium in California.	NPRM 09/02 FA 12/03 (delayed till 07?)	Diane Fleck					Rick Bennett	Cindy Roberts (EW)
National consultation with FWS & NMFS on EPA's CWA ambient water quality criteria	NA	NA	In 2/01 EPA, U.S. FWS, and NMFS signed a Memorandum Of Agreement outlining steps to coordinate implementation of the CWA and ESA.	Analytical framework 8/02, Biological Evaluations will be generated in batches over 3 years.	Kelly Kubena 566-0448		Russ Erickson, Bob Spehar				Cindy Roberts (EW)
Develop joint data gathering research plan with U.S. FWS and NMFS.	NA	NA	In 2/01 EPA, U.S. FWS, and NMFS signed a Memorandum Of Agreement outlining steps to coordinate implementation of the CWA and ESA.	Ongoing	Dana Thomas 566-1046		Rick Bennett			Jonathan Smith	Cindy Roberts (EW)
Integration of Tiered Aquatic Life Uses and Water Quality Criteria	NA	NA	Guidance on how to integrate biological information and refining and assessing attainment of designated aquatic life uses with water quality criteria.	ongoing	Heidi Bell 566-1089, Susan Jackson 566-1112		Phil Larsen, Susan Cormier, John Paul, Dave Mount				Danielle Tillman (EW)
Implementation guidance for Hg Criteria	NA	NA	Guidance for the water quality standards practitioners to implement the 2000 human health criterion.	Ongoing, FA Jan 2008	Fred Leutner 566-0378				Keith Sappington	Bill Stelz	Nicole Shao (EW)
Uniform discharge standards for Army vessels--PH II	4357	3	Establish performance standards for control devices for the 25 discharges identified in PH I.	NPRM late 2007	Brian Rappoli	Periodically need assistance--will identify specific issues	Walter Berry	Peter Gabele, Richard Baldauf, Richard Shores, Mike Elovitz			Cindy Roberts, Valerie Chan

Activity	SAN	Tier	Summary	Dates	Program Contact	NERL	NHEERL	NRMRL	NCEA	NCER	OSP Contact
Test Procedures: New and Updated Test Procedures for the Analysis of Pollutants Under the Clean Water Act and Safe Drinking Water Act - Microtox	4540	3	The rule was finalized in 2006, with EPA taking no action yet on Microtox.		Meghan Hessenauer	Jim Lazorchak, Florence Fulk	Teresa Norberg-King , Mike Lewis				Danielle Tillman
Protocol of EPA Approval of New and Alternate Test Procedures for Whole Effluent Toxicity Test Methods				Phase 1of 3 2008	Meghan Hessenauer	Jim Lazorchak, Florence Fulk	Teresa Norberg-King , Mike Lewis				Danielle Tillman (EW)
Water Transfers	5040	2	Rulemaking to codify EPA's position that water transfers do not require NPDES permits.	FAR 9/2007	Ginny Garelick, Ryan Albert 564-0763		Bill Fisher, Jennifer Orme-Zavaleta	Jim Goodrich			Valerie Chan
Revisions to method detection and quantitation approaches for use under the CWA			Rule was proposed then withdrawn. FACA committee process underway to make recommendations for a future rule.	NPRM 03/03 FA; Withdrawn 11/04; Ongoing	Richard Reding	Larry Wymer; Tom Behymer	Chuck Stephan				Nicole Shao
Drinking Water											
NPDWR: Radon	2281	1	Set MCL at 300 piC/l or, for states with MMM programs, 4000 piC/l.	NPRM 11/99 FA 12/ 06 (Inactive)	Becky Allen						Maggie LaVay
Secondary DWR: MTBE	4404	2	Propose a secondary standard for MTBE.	NPRM 08/02 FA 08/03	Irene Dooley	Jim Weaver	James Prah		Mike Lewis, Jane Caldwell		Maggie LaVay

Activity	SAN	Tier	Summary	Dates	Program Contact	NERL	NHEERL	NRMRL	NCEA	NCER	OSP Contact
Drinking Water Contaminant Candidate List 3	4745	2	EPA will evaluate the classification approach recommended by the NAS/NRC and, if possible, use the NRC approach to delegate a broad universe of potential contaminants into a smaller list for future CCLs. If additional contaminants are identified early in the evaluation process, OW plans to supplement the CCL List 2 and, if appropriate, will consider those contaminants in the regulatory determinations for 2006.	Analytic Blueprint 1/03; Prelim Notice Fall 2007; Final Notice 2008	Tom Carpenter	Gerard Stelma, Susan Richardson, Jean Munch	Karl Jensen Robert Luebke Elizabeth Hilborn	Mike Elovitz Tom Speth	Lynn Papa		Maggie LaVay
Second 6-year review of existing NPDWRs	5066	2	Review and revise (if necessary) all NPDWRs. Develop a protocol for the review.	Final Notice: 6/10	Karen Wirth	Bruce Mintz		Tom Speth	Lynn Papa		Maggie LaVay
Inorganic Arsenic			Part of the 2nd 6-year review of NPDWRs.		Irene Dooley	Jack Creed	Bob Hetes, Rebecca Calderon, Dave		Reeder Sams		Nicole Shao (Dennis Utterback for
Drinking Water Contaminants Candidate List 2 Reg. Determination 2	NA	2	EPA is making determinations "to regulate" or "not regulate" at least five contaminants from the CCL2 list.	Proposed Notice 5/07, FA 08/08	Wynne Miller		Barb Walton	Tom Speth	Bruce Rodan Lynn Papa		Nicole Shao (lead), Maggie LaVay

Activity	SAN	Tier	Summary	Dates	Program Contact	NERL	NHEERL	NRMRL	NCEA	NCER	OSP Contact
Drinking Water Regulations for Aircraft Public Water Systems	4966	3	This rule will alter the existing drinking water rule requirements to the unique characteristics of aircraft to ensure that the water passengers drink while on an airplane is safe.	NPRM 2006 FA 2008	Rick Naylor 564-3755	Bruce Mintz Jerry Stelma		Craig Patterson, Jim Goodrich	Lynn Papa		Nicole Shao
National Primary Drinking Water Regulations for Lead and Copper: Short-Term Regulatory Revisions and Clarifications	4981	3	Proposes 7 additions/clarifications to the LCR.	LCRMR Proposed 7/2006; FA for LCRMR 9/2007	Eric Burneson 202-564-5250, Jerry Ellis 202-564-2766, Jeffrey Kempic			Michael Schock			Nicole Shao
National Primary Drinking Water Regulations: Revisions to the Total Coliform Monitoring and Analytical Requirements and Additional Distribution System Requirements	4775	2	EPA will review and revise the Total Coliform Rule (TCR) as part of the 6-year review required by the 1996 SDWA Amendments. EPA intends revisions to the TCR to maintain or provide for greater human health protection than under the existing TCR. A Federal Advisory Committee recommended that EPA, as part of the TCR 6-year review process, "initiate a process for addressing cross-connection control and backflow prevention requirements and consider additional distribution system requirements related to significant health risks."	FACA: July 07-July 08 Proposed Rule: April 2010 Final Rule: November 2012	Ken Rotert			Michael Schock	Michael Troyer Jeff Swartout		Maggie Javdan (lead), Nicole Shao
			Economic subgroup	Final Rule: Novemb	NCEE Trish Hall						Maggie Ja
EPA Geologic Sequestration Workgroup	4939	3	OAR leads this workgroup on carbon capture and sequestration. As geologic sequestration can be categorized as a type of underground injection control, OGWDW is an active participant on this workgroup.		Anhar Karimjee 202-343-9260, Bruce Kobelski 202-564-			Dominic Digiulio, Rick Wilkin, Randall Ross			Valerie Chan
MEDIUM PRIORITY ACTIVITIES Clean Water Act											

Activity	SAN	Tier	Summary	Dates	Program Contact	NERL	NHEERL	NRMRL	NCEA	NCER	OSP Contact
Hydromodification Guidance		NA		Final Report 6/2007		Ken Fritz, Brent Johnson	Mary Kentula	Tom O'conner, Paul Mayer			Valerie Chan
Pretreatment Removal Credits for Pollutants in Sewage Sludge	3663	3	This action is an update to the removal credits regulation found at 40 CFR 403.7. Specifically, EPA will propose to amend the list of pollutants eligible for removal credits in 40 CFR 403.7, Appendix G, Table II, to add 17 pollutants that EPA previously determined would not need to be regulated under the sewage sludge regulations. These 17 pollutants have gone through the same assessment as the pollutants currently identified as eligible for removal credits in Table II; the assessment included public notice and comment in conjunction with a related Office of Water action.	NPRM 01/10 FRN 01/11	Jan Pickrel 564-7904						Maggie LaVay
Nutrient criteria for 14 ecoregions and implementation guidance	NA	NA	EPA has developed some criteria for nitrogen, phosphorus, chlorophyll *a* and water clarity for states and tribes to use as a starting point for developing their own water quality criteria for nutrients. EPA is continuing to guidance applicable to more water bodies and is also working on implementation issues.		Jim Pendergast/ Amy Parker	John Washington	Jim Latimer, Ed Dettmann, Naomi Detenbeck	Laurel Staley if BMPs are an issue	(Jeff Frithsen)	Iris Goodman	Danielle Tillman (EW)
National Coastal Condition Report (NCCR) III	NA	NA	Joint ORD/OW report summarizing status of nation's coastal waters from 2000-2004	Ongoing Final Report 1/08	Barry Burgan 566-1242		Virginia Engle				Valerie Chan
National Wetlands Condition Assessment and Monitoring Strategy	NA	NA	Monitoring design and statistical support needed. Also, need assessment methods support.	On-going	Chris Faulkner, Michael Scozzafava; Rich Sumner (works out of NHEERI/WED)	Ric Lopez, Chuck Lane	Tony Olsen, Mary Kentula, Naomi Detenbeck, Cathy Wigand, Virginia Engle				Valerie Chan
National Geographic Jurisdictional Workgroup	NA	NA	Cross-Agency group that addresses issues regarding federal jurisdiction over "waters of the U.S." protected under the Clean Water Act.	On-going	Donna Downing, Rose Kwok	Randy Bruins					Danielle Tillman

Activity	SAN	Tier	Summary	Dates	Program Contact	NERL	NHEERL	NRMRL	NCEA	NCER	OSP Contact
Regulations for Cruise Ships Operating in Alaskan State Waters	4746	3	EPA is authorized under the law, "Certain Alaska Cruise Ship Operations," to establish effluent standards for black and gray water from cruise ships into the waters of Alaska, Alexander Archipelago, and Kachemak Bay National Marine Estuarine Research Reserve. This action will affect cruise lines operating large (greater than 500 passenger) cruise ships in Alaska. Setting standards will require a determination of the environmental and human health impacts of gray and black water discharges from cruise ships, which may be controversial with the cruise industry and environmental groups.		Elizabeth Kim 566-1270						Cindy Roberts
Cruise Ship Discharge Assessment Report	4818	3	Draft report presents information on wastewater, solid waste, and hazardous waste discharges from cruise ships, their environmental impacts, and existing control measures. It discusses potential improvements in waste management practices, treatment technology, and regulatory oversight programs.	Draft 11/05	Elizabeth Kim						Cindy Roberts
Whole Effluent Toxicity (WET) Test Methods Implementation Guidance	NA	NA	Guidance for permitting authorities and the regulatory community on implementing the WET test method regulations	Draft 12/04, FA ??	Laura Phillips		Teresa Norberg-King, Mike Lewis				Danielle Tillman (EW)
Interagency National Wetlands Mitigation Action Plan	NA	NA	Draft federal guidance on use of preservation as compensatory mititgation to Regions and Corps for review	Summer 2007	Palmer Hough						Danielle Tillman
LOW PRIORITY ACTIVITIES Clean Water Act											

Activity	SAN	Tier	Summary	Dates	Program Contact	NERL	NHEERL	NRMRL	NCEA	NCER	OSP Contact
Guidance on how to consider social and economic information when evaluating the designated uses for surface waters.	NA	NA	Under the CWA, States are allowed to consider social/economic factors when establishing water quality standards for surface waters. Designated uses set the goal for a waterbody. EPA is committed to issuing guidance to States on what type of data/information is necessary and how such information should be evaluated.		Kellie Kubina			(Ben Blaney)		Will Wheeler	Cindy Roberts
Dioxin Availability on and near the Tittabawassee River, R5	NA	NA	(1) Region 5 is developing plans to reduce the risks of human and ecological exposures due to dioxin contamination of the river. 2) Dow Chemical has agreed to fund a study of the bioavailability of dioxin compounds. Region 5 is requesting ORD to review the study design and subsequently, to review the Region's evaluation of the resulting data.		Greg Rudloff		Linda Burnbaum				Maggie LaVay EW)
Miscellaneous											
Coastal Monitoring	NA	NA	Assist in coastal monitoring design as NCA transitions to OW sponsored rotating asessments of the nation's water resources.	Begin 1/06	Barry Burgan, 566-1242		Virginia Engle			Barbara Levinson	Cindy Roberts
Development of Crytposporidium Human Health Water Quality Criteria	NA	NA	EPA noted development of this criteria in its recent Action Plan		Steve Schaub (OST)	Eric Villegas	Elizabeth Hilborn, Rebecca Calderon	NRMRL might want to participate when this goes active			Cindy Roberts
2005 Human Health Methodology for Microbes	NA	NA	Methodology underlying development of EPA's new indicator criteria and criteria for cryptosopridium	Peer review 5/05;	Steve Schaub (OST)	Jerry Stelma	Tim Wade, Rebecca Calderon		Jeff Swartout		Cindy Roberts
National estuary program monitoring	NA	NA	Assist NEPs in monitoring activities associated with Coastal 2000.	Begin 4/01; Report to be released 1/07	Barry Burgan 566-1242		Virginia Engle			Barbara Levinson	Valerie Chan

Activity	SAN	Tier	Summary	Dates	Program Contact	NERL	NHEERL	NRMRL	NCEA	NCER	OSP Contact
Gulf Coast Wetland Assessment	NA	NA	2 Year Pilot study of 100 - 200 sites testing indicaotrs and assessment methods in advance of the National Wetlands Condition Assessment.	FY ' 07 and FY '08	Michael Scozzafava, Chris Faulkner		Mary Kentula, Cathy Wigand and Virginia Engle				Danielle Tillman
WQS for Indian country	4344	3	Consider whether to promulgate a rule with WQS to guide decisions in Indian country that lack approved standards.	NPRM ? FA ?	Fred Leutner 566-0378						Cindy Roberts
Wetlands Potential Role in Water Quality Trading	NA	NA	To fill in research gaps and answer some of the science and economic questions related to wetlands potential role in water quality trading programs. Some of the basic questions being researched are: identifying the efficiency of various wetland types to remove nutrients and sediments while still maintaining other key wetland functions; methods to monitor and verify removal rates; variability in efficiency due to spatial and ecological factors; and questions related to markets and what is necessary to sustain a WQT market that incorporates wetlands.	Dates: 2005-2014	Kathy Hurld, Gregg Serenbetz; Rich Sumner (works out of NHEERI/WED)	Charles Lane		Annette Gatchett, Laurel Staley, Hale Thurston, Joe Schubauer-Berigan			Danielle Tillman
Headwaters and Adjacent Wetlands	NA	NA	Paper regarding aquatic scientific research and approaches available for jurisdictional determinations after the Supreme Court's decision in Rapanos.	Draft 02/07 Final 05/07	Donna Downing		Scott Leibowitz, Jim Wigington				Danielle Tillman
Refine biological performance standards for wetland mitigation.	NA	NA	Develop additional tools designed to assess the effectiveness of biological and functional indicators that will help establish performance standards for wetland mitigation.	Fall FY '07	Palmer Hough; Rich Sumner (works out of NHEERI/WED)						Danielle Tillman
Wadeable Stream Assessment			Condition assessment of the nation's wadeable streams	Report completed	Susan Holdsworth		Steve Paulsen et al., WED				Danielle Tillman
Survey of the Nation's Lakes			Condition assessment of the nation's lakes	field sampling summer 07	Susan Holdsworth		Steve Paulsen et al., WED				Danielle Tillman