

August 16, 2016

## **Bi-Annual Update #1**

As provided in our letter issued February 11, 2016, this is the **First Bi-Annual Update** on the progress in the development of a proposed rule to prevent spills of hazardous substances under Clean Water Act (CWA) section 311(j)(1)(C).

Since February 16, 2016, EPA:

- Assembled a team of staff to begin work on the proposed rulemaking;
- Determined that an Information Collection Request (ICR) to gather information to support the rulemaking is necessary, and initiated its development;
- Initiated research and analysis of hazardous substances and existing regulatory provisions that may affect hazardous substance spill prevention;
- Acted to secure contractor resources to support the project team; and
- Initiated planning and scheduling of 3 opportunities this fall for the public to provide input on the proposed rulemaking, including one in-person public meeting to be held in Charleston, WV.

In the next six months EPA expects to:

- Develop and make public a website for the hazardous substance spill prevention project;
- Host 3 opportunities for the public to provide input on the proposed rulemaking, including one in-person public meeting to be held in Charleston, WV. Once these opportunities are scheduled, the dates and times will be made publicly available on the website and via other communications;
- Continue research and analysis of hazardous substances and existing regulatory provisions that may affect hazardous substance spill prevention;
- Make available on the website summaries of the public input received during each session;
- Finalize ICR development and initiate review and approval for the information collection; and
- Establish a rulemaking workgroup under the Agency's Action Development Process.