

August 2018

## **Bi-Annual Update #5**

As provided in our letter issued February 11, 2016, this is the **Fifth Bi-Annual Update** on the progress to sign a notice of proposed rulemaking pertaining to the issuance of hazardous substance regulations under Clean Water Act (CWA) section 311(j)(1)(C).

Since February 2018, EPA:

- On June 15, 2018, EPA's Administrator signed a proposed action on CWA Hazardous Substance Spill Prevention;
- EPA staff provided an opportunity for tribal consultation on the proposed rulemaking. Nine tribes participated in a consultation session, held by teleconference on July 19, 2018;
- Published the proposed action in the Federal Register on June 25, 2018 (83 FR 29499);
- The Office of Management and Budget (OMB) approved the Information Collection Request (ICR) to conduct a voluntary survey to states, tribes, and territories on June 22, 2018;
- EPA distributed the voluntary survey to states, tribes, and territories on June 22, 2018, and requested responses by August 6, 2018; and
- EPA docketed responses received.

In the next six months EPA expects to:

- Review and summarize comments on the proposed action received on or before August 24, 2018;
- Hold rulemaking workgroup meetings to conduct internal, deliberative work as part of the final rulemaking process; and
- Review and analyze information received from the voluntary survey, as appropriate.