

Aluminum/Water Quality Criteria: U.S. Environmental Protection Agency Federal Register Notice Addressing Draft Update



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The United States Environmental Protection Agency (“EPA”) in a July 28th Federal Register Notice announced the availability of a document titled:

Draft Updated Aquatic Life Ambient Water Quality Criteria for Aluminum in Fresh Water (“Draft”)

See 82 Fed. Reg. 35198.

EPA is seeking public comment on the Draft.

The agency states it is updating its recommended aluminum criteria to reflect the latest science and provide users the flexibility to develop site-specific criteria based on site-specific water chemistry. It further states that the Draft provides a scientific assessment of ecological effects.

The Clean Water Act Section 304(a) Water Quality Criteria are recommendations developed by the agency under the authority of this statutory provision based on the latest scientific information. The effect of a particular constituent concentration on an aquatic species and/or human health is assessed.

Section 304(a)(1) of the Clean Water Act requires that EPA develop and publish periodically (including revisions) criteria for water quality reflecting the latest scientific knowledge. They are intended to provide guidance to states and authorized tribes in adopting water quality standards. Nevertheless, states and authorized tribes are allowed to develop their own water quality criteria if they are done so with criteria in accordance with the requirements of the Clean Water Act.

[A copy of the Federal Register Notice can be downloaded here.](#)