

# Final Effluent Guidelines Program Plan/Clean Water Act: U.S. Environmental Protection Agency May 2nd Federal Register Notice



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The United States Environmental Protection Agency (“EPA”) announced in a May 2nd Federal Register Notice the Final 2016 Effluent Guidelines Program Plan (“Plan”). See 83 Fed. Reg. 19281.

Section 303(m) of the Clean Water Act requires that EPA biennially publish a plan for new and revised effluent limitations guidelines after public review and comment.

EPA’s development of Clean Water Act categorical effluent limits is an ongoing process. The federal agency continues to promulgate categorical standards for facilities that have not been addressed.

Existing categorical standards are also assessed to determine if revisions are warranted. The motivation for a change to an existing standard will often be the need to incorporate technological developments in a given industry.

EPA’s 2016 Plan identifies any new or existing industrial categories the agency has selected for effluent guidelines or pretreatment standards. It further provides a schedule for their development.

The Plan was stated to have been developed from information and analysis from the agency’s 2015 and 2016 Annual Reviews. Further, input from public comments on the preliminary 2016 Plan were stated to have been used in developing the Final 2016 Plan.

EPA states that the Final 2016 Plan identifies one new rulemaking (and the associated schedule) for the Steam Electric Power Generating Point Source Category. The agency states it has concluded that no additional industries warrant new or revised effluent guidelines at this time.

EPA also notes the initiation of a new study to look “holistically” at the management of oil and gas extraction wastewater from onshore facilities. It further states that the focus:

... is not to look specifically at any one existing effluent guideline. Rather, the EPA intends to engage with stakeholders to evaluate approaches to manage both conventional and unconventional oil and gas extraction wastewater from onshore facilities including, but not limited to, an assessment of technologies for facilities that treat and discharge oil and gas extraction wastewater.

The Plan also announces that the agency is initiating a new study of the Electrical and Electronic Components Point Source Category. The focus of the study is stated to be on changes within the industry since the 1983 rulemaking. These changes are stated to pertain to wastewater characteristics and wastewater treatment technologies.

The Final 2016 Plan can be found at <http://www.epa.gov/eg/effluent-guidelines-plan>.

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