**NSC Technical Subcommittee Call Minutes – November 20, 2018**

**Participation [by regions]:**

3: Lee Ann Briggs - **PA**

4: Trayce Moore-Thomas & Melissa McGee-Collier – **MS**, Donovan Grimwood – **TN** and Derek Bozzell – **KY**

5: Emily Ohde – **MN**, Renee Bashel & Lisa Ashenbrenner-Hunt – **WI** and Yangsheng Zhang (**Brulin**), Tammy Haug, Chrystal Wagner & Mark Stoddard - **IN**

6: Lloyd Kirk & Melissa Adler-McKibben - **OK**

7: Lynelle Ladd – **KS**

8: Eric Florio – **NV**

9: Genevieve Salmonson - **HI**

10: Patrick Hoermann – **WA** and Belinda Breidenbach - **ID**

**US EPA Region 5:** Donna Twickler

Leena Divakar

**October minutes:** approved as is

**General Overview of the proposed NPDES Applications and Program Updates (final rule, part 1 of 2, sent to OMB for review; anticipated to be published in the Federal Register in December 2018)**

Frank Sylvester – US EPA, Office of Wastewater Management

***The presentation will be available at*** <https://nationalsbeap.org/sbeap/resources/subcommittees/technical>

***Slides nor any images were used during the presentation. The recording is audio only.***

On May 18, 2016, EPA proposed a rulemaking to update the NPDES regulations to eliminate certain regulatory and application form inconsistencies; improve permit documentation, transparency and oversight; clarify existing regulations; and delete outdated provisions. [81 FR 31344].

The notice proposed targeted changes to the following sections of the NPDES regulations:

* **Part 122** – Definitions; permit application requirements; water quality-based limit development and documentation.
* **Part 123** – EPA’s ability to object to proposed state permits
* **Part 124** – Public notice; 401 certification procedures; fact sheet requirements
* **Part 125** – deleting an outdated reference to criteria that formerly applied to publicly owned treatment works.

**Frank Sylvester** is a physical scientist with the U.S. Environmental Protection Agency’s Office of Wastewater Management in Washington, D.C. He works with other EPA and state, territory, and tribal staff to implement the National Pollutant Discharge Elimination System (NPDES) permitting program.

He has a background in science and law, having graduated from the State University of New York College of Environmental Science and Forestry (SUNY-ESF) (M.S. in natural resources management) and from Syracuse University’s College of Law (J.D.).

**References**

**Talking Points – Rulemaking Background, Overview and Anticipated Revisions -** Frank Sylvester, US EPA –separate 3 page document

**Association of Clean Water Administrators (ACWA) -** <https://www.acwa-us.org/wp-content/uploads/2018/04/Upcoming-EPA-Water-Regs-Guidance-and-Policy-04-30-18.pdf> (**April 30, 2018**)

EPA is proposing to update the NPDES regulations in order to eliminate inconsistencies between regulations and application forms, improve permit documentation and transparency, and provide clarifications to the existing regulations.

**Likely updates include:** definition updates, application requirements for vessels and pesticides, effluent limit bases--max daily/average monthly for POTWs, reasonable potential, conflicts of interest, fact sheet requirements, public notice requirements, §401 certification process, anti-backsliding, anti-degradation, and objection to administratively continued permits.

The proposed rule was published in the Federal Register at: https://federalregister.gov/a/2016-11265 ***ACWA expects EPA will likely finalize as two rules with the less controversial provisions being finalized first***.

**NPDES Application and Program Updates (proposed in 2016) -** <https://www.epa.gov/npdes/npdes-application-and-program-updates>

***Proposed*** – <https://www.federalregister.gov/articles/2016/05/18/2016-11265/national-pollutant-discharge-elimination-system-npdes-applications-and-program-updates>

***Extension to comment period*** - <https://www.federalregister.gov/articles/2016/06/27/2016-15134/notice-of-extension-to-comment-period-on-the-national-pollutant-discharge-elimination-system>

**Future topics:**

* **December 18:** Planning for 2019 or a topic should an opportunity present itself
* **February 19:** Environmental friendly cleaning initiatives, Yangsheng,PhD, R&D Director, Brulin Holding Company
* **March 19:** Compliance tools on the National SBEAP website – homework: visit, open, look at review, consider, deliberate then bring your ideas on what is and is not helpful and how can it be improved.
* **April 16:** Materials Marketplace, John Bradburn
* **Other topics:** Knowing the differences between safety & environmental data sheets and how to find useful information; electronic reporting of data

**Next Call: December 18, 2018**

1 pm CST (2 pm EST) (3rd Tuesday of month)

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