



Streamlining EPA's Test Methods Approval Program

Summary

EPA is proposing a regulation to streamline EPA's program for approving laboratory test procedures and quality control measures that are used to gather data and monitor compliance under the Clean Water Act (CWA) and the Safe Drinking Water Act (SDWA). It demonstrates EPA's commitment to reducing the regulatory burden imposed on industries and municipalities, the technology development community, and the laboratory services community. It also demonstrates EPA's commitment to lowering the barriers to innovative technology.

The proposed regulation will make it easier for the affected communities to modify an approved reference method by streamlining the regulatory requirements and it will provide an opportunity for non-EPA organizations to develop and gain approval of entirely new methods. The objective of the proposal is to encourage early introduction and use of innovative technologies that reduce costs, overcome analytical difficulties, and enhance data quality. The proposal provides safeguards to ensure that method modifications produce data of equivalent or superior quality to the data produced by approved methods.

Background

The U.S. Environmental Protection Agency (EPA) publishes laboratory analytical methods that are used by industrial and municipal facilities in analyzing the chemical and biological components of wastewater, drinking water, sediment, and other environmental samples that are required by EPA regulations under the authority of the Clean Water Act and the Safe Drinking Water Act.

Almost all of these methods are published by EPA as regulations at Title 40 of the Code of Federal Regulations (CFR). As regulations, however, they have been considered prescriptive and, as a result, have limited the ability of facilities to incorporate procedures that would account for unique situations. They also have not allowed for the incorporation of recent advances in measurement technology.

Reducing the Burden

Recently there has been a growing awareness within both EPA and the analytical community that compliance with the Agency's regulations imposes an unintended regulatory burden on the regulated community and that this potentially creates a barrier to innovation in environmental monitoring. This proposed regulation is intended to change this situation.

The proposed streamlining rule (1) increases the flexibility of affected parties to modify existing test procedures without regulatory action, (2) expedites approval of new and modified test procedures, (3) establishes and requires the use of standardized Quality Control (QC) and QC acceptance criteria, and (4) recommends use of standard data elements for reporting test results. This proposal sets the stage for harmonization of wastewater and drinking water test procedures.

BENEFITS OF THE PROPOSED RULE

- ▶ *New incentives for developing new analytical techniques*
- ▶ *Improved performance in specific wastewater discharge or drinking water situations*
- ▶ *Lower costs of environmental measurements and improved laboratory productivity*
- ▶ *Increased consistency among analytical methods, appropriate validation testing levels and timely approval of methods*

The Proposed Regulation

Public Participation

EPA is developing this proposed regulation with

the help of representatives from municipal water and wastewater treatment utilities, industries, laboratories, instrument vendors, equipment manufacturers, consensus standards organizations, educational institutions, other Federal agencies, and other interested parties. EPA held four public meetings on the streamlining proposal between September 1995 and July 1996.

Additional Information and Copies

EPA developed three supporting documents to help the regulated community implement this regulation: Guide to Method Flexibility and Approval of EPA Water Methods (EPA-821-D-96-004), Guidelines and Format for Methods to Be Proposed at 40 CFR Part 136 or Part 141 (EPA-821-B-96-003), and Methods for Organic Chemical Analysis of Municipal and Industrial Wastewater (EPA-821-B-96-005). These documents provide a detailed description of the streamlining proposal and provide implementation guidance.

For additional information concerning this action, you may contact Marion Thompson at the U.S. Environmental Protection Agency, Office of Water, Engineering and Analysis Division (4303), 401 M Street, S.W., Washington, D.C. 20460. You may also phone her at 202/260-7117 or send an e-mail: Thompon.Marion@epamail.epa.gov.

The Federal Register notice contains instructions on how to obtain additional information and how to review the public record for this rulemaking.

The complete text of the Federal Register notice containing the streamlining proposal and the full text of the supporting documents may be viewed or downloaded on the Internet at <http://www.epa.gov/OST>.

You may also obtain copies of the three supporting documents through the U.S. EPA National Center for Environmental Publications and Information (NCEPI), 11029 Kenwood Road, Cincinnati, OH 45242 (ph. 513/489-8190).