

# Cadmium/Water Quality Criteria: U.S. Environmental Protection Agency Public Notices Draft Recommendation

## Arkansas Environmental, Energy, and Water Law Blog



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The United States Environmental Protection Agency ("EPA") in a December 1st Federal Register Notice announced its draft recommended aquatic life water quality criteria for cadmium. See 80 Fed. Reg. 75097.

EPA states it is updating its national recommended ambient water quality criteria for cadmium in order to reflect the latest scientific information and current agency policies and methods.

Section 303 of the Clean Water Act requires that each state develop water quality standards ("WQS") for jurisdictional waters of the United States within their borders. WQS consists of three parts:

1. the designated uses of waterbody;
2. the water quality criteria ("WQC") that are necessary to protect existing uses and to attain the beneficial uses designated by the state; and
3. an antidegradation statement or policy to protect existing uses in high quality water.

WQS or WQC are contrasted with the end of the pipe discharge limits established by the Clean Water Act categorical effluent limit standards.

EPA states that it is preparing an update of the chronic aquatic life criteria document for cadmium based on the latest scientific information and current EPA policies and methods which include a 1985 and 1998 study. It further states that the draft 2015 updated criteria include new data for 70 species and 49 genera not previously represented. The draft freshwater acute criterion was stated to have been derived in order to be protective of endangered species and further lowered to protect the commercially and recreationally rainbow trout, consistent with procedures described in the agency's current aquatic life criteria guidelines.

EPA notes that:

... the draft freshwater aquatic criterion is slightly higher (i.e., less stringent) compared to the 2001 criterion for dissolved cadmium; this increase is primarily due to the inclusion of new data.

However, the draft estuarine/marine acute criterion for dissolve cadmium is stated to be slightly more stringent than the 2001 recommended criterion, which is primarily due to the addition of data.

[Click here to download a copy of the Federal Register Notice, which includes the water quality criteria table.](#)

