# Test Methods/Clean Water Act: U.S. Environmental Protection Agency Finalizes Revisions

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The United States Environmental Protection Agency ("EPA") published a May 19th Federal Register Notice finalizing revisions to approved test methods in 40 C.F.R. Part 136 addressing wastewater sampling. See 86 Fed. Reg. 27226.

EPA is required by the Clean Water Act to promulgate test procedures (also described as analytical methods) for analysis of pollutants.

Section 304(h) of the Clean Water Act requires EPA to:

. . . promulgate guidelines establishing test procedures for the analysis of pollutants that shall include the factors which must be provided in any certification pursuant to Section 401 of the Clean Water Act or permit application pursuant to Section 402 of the Clean Water Act.

The agency codifies its test procedure regulations for Clean Water Act programs in the previously referenced regulations. However, some requirements are codified in other parts such as 40 C.F.R. Chapter I, Subchapters N and O.

The test procedures are utilized to verify compliance with Clean Water Act National Pollution Discharge Elimination System ("NPDES") permit conditions. Permittees will utilize test procedures approved for a specific pollutant. Examples of where approved test procedures or analytical methods are used can include:

1. Applications for NPDES permits
2. Sampling or other reports required under NPDES permits
3. Other requests for quantitative or qualitative effluent data under the NPDES regulations
4. State Clean Water Act 401 certifications
5. Sampling and analysis required under EPA's General Pretreatment Regulations

EPA's revisions fall into the following categories:

- Changes to 40 C.F.R. 136.3 To Include New Versions of Previously Approved EPA Methods
- Methods Incorporated by Reference
- Changes to 40 CFR 136.3 To Include New Versions of Approved Standard Methods Methods
- Changes to 40 C.F.R. 136.3 To Include New Standard Methods Methods Based on Previously Approved Technologies

- Changes to 40 CFR 136.3 To Include a New ASTM Method Based on Previously Approved Technologies
- Changes to 40 CFR 136.3 To Include New United States Geological Survey Inorganic Methods Based on Previously Approved Technologies
- Changes to 40 CFR 136.3 To Include New United States Geological Survey Organic Methods Based on Previously Approved Technologies
- Changes to 40 CFR 136.3 To Include Alternate Test Procedures (ATPs)
- Changes to 40 CFR 136.3, Tables IA, IB, and IH
- Changes to Table II at 40 CFR 136.3(e) to Required Containers, Preservation Techniques, and Holding Times

A copy of the Federal Register Notice can be downloaded here.