

## COMPARISON OF FINAL 2016 SELENIUM CRITERION TO 1999 CRITERIA—Continued

Criterion version	Chronic					Short-term
	Egg-Ovary <sup>1</sup> (mg/kg dw)	Whole Body <sup>1</sup> (mg/kg dw)	Muscle <sup>1</sup> (mg/kg dw)	Water, <sup>1</sup> Lentic (µg/L)	Water, <sup>1</sup> Lotic (µg/L)	Water (µg/L)
1999 Selenium Criteria	N/A	N/A	N/A	5 (4 d) .....	5 (4 d) .....	Acute Equation based on water column concentration.

<sup>1</sup> A note on hierarchy of table: when fish egg/ovary concentrations are measured, the values supersede any whole-body, muscle, or water column elements except in certain situations. Whole body or muscle measurements supersede any water column element when both fish tissue and water concentrations are measured, except in certain situations (see examples in text above). Water column values are derived from fish tissue concentrations.

The criterion document does not include an acute criterion (based on water-only exposure) because selenium is bioaccumulative and toxicity primarily occurs through dietary exposure. EPA derived an intermittent exposure criterion element from the 30-day average water column criterion element for situations where elevated inputs of selenium could result in bioaccumulation in the ecosystem and potential chronic effects in fish (e.g., new discharges).

#### V. What is the relationship between the water quality criterion and your state or tribal water quality standards?

As part of the WQS triennial review process defined in section 303(c)(1) of the CWA, the states and authorized tribes are responsible for maintaining and revising WQS. Standards consist of designated uses, water quality criteria to protect those uses, a policy for antidegradation, and may include general policies for application and implementation. Section 303(c)(1) requires states and authorized tribes to review and modify, if appropriate, their WQS at least once every three years.

States and authorized tribes must adopt water quality criteria that protect designated uses. Consistent with EPA's regulations at 40 CFR 131.11(a), protective criteria must be based on a sound scientific rationale and contain sufficient parameters or constituents to protect the designated uses. Criteria may be expressed in either narrative or numeric form. States and authorized tribes have four options when adopting water quality criteria for which EPA has published section 304(a) criteria. They may:

(1) Establish numerical values based on recommended section 304(a) criteria;

(2) Adopt section 304(a) criteria modified to reflect site-specific conditions;

(3) Adopt criteria derived using other scientifically defensible methods; or

(4) Establish narrative criteria where numeric criteria cannot be established or to supplement numerical criteria (40 CFR 131.11(b)).

EPA's regulation at 40 CFR 131.20(a) provides that if a state does not adopt new or revised criteria parameters for which EPA has published new or updated recommendations, then the state shall provide an explanation when it submits the results of its triennial review to the Regional Administrator consistent with CWA section 303(c)(1). The updated section 304(a) selenium criteria supersede EPA's previous 304(a) recommended criteria for selenium. Consistent with 40 CFR 131.21, new or revised water quality criteria adopted into law or regulation by states and authorized tribes on or after May 30, 2000 are applicable water quality standards for CWA purposes only after EPA approval.

#### VI. Additional Information

EPA is developing a set of technical support documents to assist states. These materials will include fish tissue monitoring guidance as well as FAQs and fact sheets addressing flexibilities for states and authorized tribes in implementing the criteria, assessing and listing water body impairments, and wastewater permitting.

Dated: June 30, 2016.

**Joel Beauvais,**

*Deputy Assistant Administrator, Office of Water.*

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#### FEDERAL COMMUNICATIONS COMMISSION

##### Federal Advisory Committee Act; Technological Advisory Council

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice of public meeting.

**SUMMARY:** In accordance with the Federal Advisory Committee Act, this notice advises interested persons that the Federal Communications Commission's (FCC) Technological Advisory Council will hold a meeting.

**DATES:** Tuesday, September 20th, 2016 in the Commission Meeting Room, from 12:30 p.m. to 4 p.m.

**ADDRESSES:** Federal Communications Commission, 445 12th Street SW., Washington, DC 20554.

**FOR FURTHER INFORMATION CONTACT:** Walter Johnston, Chief, Electromagnetic Compatibility Division, 202-418-0807; *Walter.Johnston@FCC.gov*.

**SUPPLEMENTARY INFORMATION:** At the September 20th meeting, the FCC Technological Advisory Council will discuss progress on and issues involving its work program agreed to at its initial meeting on March 9th, 2016. The FCC will attempt to accommodate as many people as possible. However, admittance will be limited to seating availability. Meetings are also broadcast live with open captioning over the Internet from the FCC Live Web page at <http://www.fcc.gov/live/>. The public may submit written comments before the meeting to: Walter Johnston, the FCC's Designated Federal Officer for Technological Advisory Council by email: *Walter.Johnston@fcc.gov* or U.S. Postal Service Mail (Walter Johnston, Federal Communications Commission, Room 2-A665, 445 12th Street SW., Washington, DC 20554). Open captioning will be provided for this event. Other reasonable accommodations for people with disabilities are available upon request. Requests for such accommodations should be submitted via email to *fcc504@fcc.gov* or by calling the Office of Engineering and Technology at 202-418-2470 (voice), (202) 418-1944 (fax). Such requests should include a detailed description of the accommodation needed. In addition, please include your contact information. Please allow at least five days advance notice; last minute requests will be accepted, but may not be possible to fill.

Federal Communications Commission.

**Ronald T. Repasi,**

*Deputy Chief, Office of Engineering and Technology.*

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