

Clean Water Act Hazardous Substance Facility Response Plans: Compliance Date Delay and Changes To Reflect Administration Policy

Published October 13, 2026

District of Columbia statewide, DC - District of Columbia statewide County, DC

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The Environmental Protection Agency (EPA) is finalizing an extension to the compliance date for Facility Response Plans (FRPs) required by the Clean Water Act (CWA) addressing potential worst-case discharges of CWA hazardous substances. These requirements apply to onshore non-transportation-related facilities that could reasonably be expected to cause substantial harm to the environment from a CWA hazardous substance worst-case discharge to navigable waters, adjoining shorelines, or the exclusive economic zone. This action is also finalizing language modifications to remove references to climate change and environmental justice in the FRP requirements to align with Executive Order 14148 of January 20, 2025. EPA is revising the compliance deadlines in light of serious concerns that facilities may be unable to comply with the relevant requirements by the existing deadline. These changes are necessary to allow the Agency to consider implementation and compliance assistance tools that regulated facilities may be able to take advantage of when complying with the new requirements, and to ensure proper planning for all communities while promoting a science-based and risk-based approach to

Agency: Environmental Protection Agency.

Document type: Rule.

Document number: 2026-20849.

Official Federal Register document. Matter furnished by the National Archives Federal Register API. Notice Nearby is not the publisher of record for this item.

Source:

<https://www.federalregister.gov/documents/2026/10/13/2026-20849/clean-water-act-hazardous-substance-facility-response-plans-compliance-date-delay-and-changes-to>