



**UNITED STATES ENVIRONMENTAL PROTECTION
AGENCY
REGION 10**

1200 Sixth Avenue, Suite 155
Seattle, WA 98101

WATER
DIVISION

September 14, 2021

Marla Koberstein
Washington Department of Ecology
Water Quality Program
PO Box 47600
Olympia, WA 98504-7600

Re: EPA comments on Washington's 2021 Triennial Review Draft Work Plan

Dear Ms. Koberstein:

The U.S Environmental Protection Agency (EPA) has reviewed the document entitled, "2021 Triennial Review of Surface Water Quality Standards, Draft Work Plan to Update the Water Quality Standards for 2022-2024" that Washington Department of Ecology (Ecology) developed for the 2022-2024 triennial review and posted for public comment at <https://ecology.wa.gov/Water-Shorelines/Water-quality/Water-quality-standards/Updates-to-the-standards>. EPA supports Ecology for undertaking a triennial review of the state's water quality standards consistent with the federal water quality standards regulations at 40 CFR 131.20.

In 2015, EPA revised the federal water quality standards regulations at 40 CFR 131 (<https://www.federalregister.gov/documents/2015/08/21/2015-19821/water-quality-standards-regulatory-revisions>). Given the revisions to a number of water quality standards regulatory requirements, EPA strongly encourages Ecology to use the triennial review process to update any of Washington's water quality standards that are inconsistent with EPA's revised water quality standards regulations.

Similarly, EPA recommends that Ecology conduct a crosswalk to compare Washington's criteria with EPA's current 304(a) recommendations to ensure that water quality standards include up-to-date water quality criteria that are protective of designated uses. If Ecology chooses not to update Washington's criteria to reflect the current 304(a) national criteria recommendations, consistent with the revised federal water quality standards regulations, EPA requests an explanation of the decision rationale when reporting the results of the triennial review to EPA.

EPA is supportive of Ecology's efforts to review the Outstanding Resource Waters nominations in accordance with WAC 173-201A-330, which is the Washington's equivalent of the federal antidegradation policy's Outstanding National Resource Water provision at 40 CFR 131.12(a)(3). Such designations would afford Soap Lake, Cascade River, Green River, and Napeequa River with the highest level of protection in the antidegradation policy and provide that the high water quality be maintained.

Additionally, EPA notes that there is overlap between Ecology's triennial review priorities and the commitments contained in the most recent Performance Partnership Agreement (PPA), including updating the aquatic life criteria for toxics. We encourage the state to continue to prioritize the projects identified in Chapter 9, Section 4 of the PPA.

EPA looks forward to working with Ecology to identify any revisions necessary to ensure that Washington's water quality standards are consistent with the federal rule requirements and include criteria that protect the state's designated uses. We remain available to support the state's efforts to review and revise the water quality standards.

Thank you for the opportunity to comment on Washington's 2021 Triennial Review Draft Work Plan. Please contact me if you have questions at 206-553-1058 or ramirezpuentes.andrea@epa.gov.

Sincerely,

Andrea Ramirez Puentes
Water Quality Standards Coordinator