

# US Environmental Protection Agency R10

EPA's comments are included in the attached file.

**2022 Revisions of Policy 1-11, Chapter 1: *Washington’s Water Quality Assessment Listing Methodology to Meet Clean Water Act Requirements***  
**EPA Region 10 Comments**  
**January 3<sup>rd</sup>, 2023**

Overarching comments:

- I. Non-Substantial Revisions
  1. 40 CFR § 130.7(b)(5) requires that:

“Each State shall assemble and evaluate all existing and readily available water quality-related data and information to develop the list required by §§ 130.7(b)(1) and 130.7(b)(2).” In addition, the regulations at 40 CFR § 130.7(b)(6) require states to include, as part of their list submittal to EPA, documentation to support the decisions on whether or not to rely on particular data and information, as well as the decisions on whether or not to list waters. Such documentation must include, at a minimum, the following information: (1) a description of the methodology used to develop the 303(d) list (i.e. the ‘listing methodology’); (2) a description of the data and information used to identify waters; (3) a rationale for any decision not to use existing and readily available data and information; and (4) any other reasonable information requested by EPA. Section 130.7(b)(6)(iii) states “A rationale for any decision to not use any existing and readily available data and information for any one of the categories of waters as described in § 130.7(b)(5)” shall be submitted with the list. Please ensure that such rationales documenting why particular data and/or information were not used in the water quality assessment are included as part of the Integrated Report submittal.
- II. Draft Harmful Algae Blooms Methodology
  1. As stated in the draft HABs methodology, a combination of public health advisory information, cyanotoxin data, public health assessment information, and Washington State’s Department of Health (DOH) recreational guidance will be used as the basis for evaluating the health of contact recreation. Has Ecology considered the “do not drink” advisories for drinking water as part of the public health advisories being assessed?
    - Guidance for drinking water advisories is provided in Appendix E, *Dealing with Cyanobacteria: Time to Make a Plan*, DOH  
<https://doh.wa.gov/sites/default/files/legacy/Documents/Pubs/331-654.pdf>
  2. Page 2 mentions a reference to DOH, 2011 but the complete reference has not been included. Please review the technical references and provide the complete citations.