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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

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Guidance on Use of Quality Criteria for Water

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The enclosed guidance on use of EPA criteria in water quality standards approvals has been prepared for Regional Water Division Directors. If you concur, your surname would be appreciated; if you do not concur, your comments equally would be appreciated.

This guidance can be considered the first step toward the anticipated adoption of modifications to the water quality standards regulation. It represents a change from the initial guidance supplied with Quality Criteria for Water. This guidance provides that when a water use is designated for fish and wildlife, for example, the criteria specified to support such use must be equally stringent to those provided in EPA's Quality Criteria for Water, except where a State can justify a less stringent criterion because of natural background quality.

An issue is raised with the implementation of such guidance. A State may choose to adopt the minimum number of criteria to support a designated use or a State may choose to follow the use downgrading procedures in 40 CFR 130.17 and justify downgrading on economic grounds. The result could be an increased number of downgrading use requests for consideration in the standards' approval process.

The risk of such State action seems worthwhile. Implementation of this guidance will make the transition to the anticipated modification to the water quality standards regulation an easier process. To continue to state that EPA water quality criteria are to be considered only as information by the States in the water quality standards revision process will make it more difficult to implement the change later with the modified regulation.

Enclosure

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