

US EPA ARCHIVE DOCUMENT



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street  
San Francisco, CA 94105-3901

AUG 04 2014

Mr. John Heggeness  
Supervisor, Water Quality Standards and Monitoring  
Bureau of Water Quality Planning  
Nevada Division of Environmental Protection  
901 South Stewart Street, Suite 4001  
Carson City, Nevada 89701

Dear Mr. Heggeness:

Thank you for submitting Nevada's 2012 Water Quality Integrated Report and supporting documentation pursuant to Clean Water Act (CWA) Sections 303(d) and 305(b). We received the submittal on April 14, 2014. I am pleased to approve Nevada's determination of the waters and pollutants included in its list of waters requiring a total maximum daily load (TMDL) under CWA Section 303(d). In addition, EPA identified one water and associated pollutant which meets federal listing requirements for inclusion on the 303(d) list. EPA is therefore acting today to partially approve and partially disapprove the State's submittal.

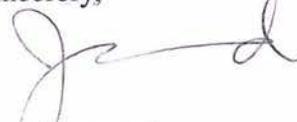
EPA carefully reviewed the final submittal including the State's listing decisions, assessment methodology, and supporting data and information. EPA finds that Nevada's 2012 list of water quality limited segments requiring TMDLs partially meets the requirements of Section 303(d) of the Clean Water Act and EPA's implementing regulations. Accordingly, pursuant to 40 CFR 130.7(d), EPA hereby approves each of the State's listings of water quality limited segments requiring a TMDL identified in the 2012 Integrated Report, Attachment 4, Category 5 Waters.

During our review, we also identified Topaz Lake as meeting the federal listing requirements for mercury, which was not included in Nevada's 2012 Integrated Report, Attachment 4, Category 5 Waters list. Accordingly, EPA is today proposing to add Topaz Lake-mercury to the list of impaired waters requiring a TMDL pursuant to 40 CFR 130.7(d)(2). The statutory and regulatory requirements, a summary of our review of Nevada's compliance with applicable requirements, and our rationale for adding Topaz Lake-mercury are described in the enclosure.

The public participation process provided by Nevada Division of Environmental Protection included opportunities for the public to participate or submit written comments. The State's public participation activities were consistent with federal requirements. Similarly, EPA will solicit public comments on the proposed addition of Topaz Lake-mercury to the State's 303(d) list. We will develop a responsiveness summary for comments received on the proposed addition and will advise the State if any revision of EPA's determination is found to be appropriate.

If you have questions concerning this decision, please call me at (415) 947-8707, or David Guiliano at (415) 947-4133.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jane Diamond', written over the word 'Sincerely,'.

Jane Diamond  
Director, Water Division

Enclosure

cc: Colleen Cripps, Ph.D., Administrator, NDEP  
Dave Gaskin, P.E., Deputy Administrator, NDEP  
Kathy Sertic, Chief, Bureau of Water Quality Planning, NDEP