

US EPA ARCHIVE DOCUMENT



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street

San Francisco, CA 94105-3901

NOV 3 2009

Mr. Henry R. Darwin
Acting Director
Water Quality Division
Arizona Department of Environmental Quality
1110 W. Washington St.
Phoenix, AZ 85007

Dear Mr. Darwin:

After reviewing public comments received on EPA's proposed list of additional waters and pollutants to Arizona's 2006-2008 Section 303(d) list, EPA has determined that the additional listings are appropriate. On July 31, 2009, EPA partially approved and partially disapproved Arizona's 2006-2008 Section 303(d) list, as submitted in Arizona's Clean Water Act (CWA) combined 2006-2008 Integrated Section 305(b) Assessment and 303(d) Listing Report ["Integrated Report"]. Specifically, EPA approved the State's decisions to list 54 water quality limited segments (WQLSs) and associated pollutants identified in the Integrated Report table captioned "Category 5 (ADEQ) – Assessed Impaired by ADEQ" and set priority rankings for these waters. EPA disapproved the State's decisions not to list 23 waterbodies and not to list additional pollutants for 5 waters already listed by the State for other pollutants. EPA further identified these additional waterbodies and pollutants with appropriate priority rankings for inclusion on the 2006-2008 Section 303(d) list.

EPA provided public notice and solicited public comment on its identification of additional waters and pollutants for inclusion on Arizona's list. The comment period opened on August 20, 2009 and closed September 21, 2009. EPA received one set of comments, and has reviewed and considered the comments received from the public. A responsiveness summary, which summarizes the public comments received and EPA's responses, is provided as Enclosure 1. EPA has determined that the comments do not warrant modifying the list of additional waters and pollutants identified by EPA.

Pursuant to the requirements of federal regulations at 40 CFR 130.7, and provided as Enclosure 2 to this letter, I am hereby transmitting to you the list of waterbodies and pollutants being added to Arizona's 2006-2008 Section 303(d) list. The additional waters and pollutants added to Arizona's list and priority rankings are identical to those identified by EPA on July 31, 2009, and include 23 additional waters and 5 additional pollutants for several waters already listed by the State, in addition to the 54 waters listed by the State.

We appreciate the assistance provided by your staff in responding to comments received concerning EPA's listing decision and look forward to working with the State during the 2010 listing process. If you have questions on any aspect of this final listing decision, please call me at (415) 972-3572 or call Peter Kozelka at (415) 972-3448.

Sincerely,

 3 Nov. 2009
Alexis Strauss
Director, Water Division

cc: Linda Taunt, ADEQ
Debra Daniel, ADEQ

Enclosures