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Enclosure

EPA Review of Arizona's 2010 Section 303(d) List Submitted October 17, 2012

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Purpose

The purpose of this document is to describe the rationale for EPA's partial approval and partial disapproval of Arizona's 2010 list of water quality limited segments requiring a Total Maximum Daily Load (TMDL) under Clean Water Act, Section 303(d). The following sections identify those key elements to be included in the list submittal based on the Clean Water Act and EPA regulations (see 40 CFR 130.7). EPA carefully reviewed the State's submittal including the listing decisions, the assessment methodology used by the State in developing its list, and supporting data and information. EPA's review of Arizona's list is based on EPA's analysis of whether the State reasonably considered existing and readily available water quality-related data and information, and reasonably identified waters required to be listed. This review describes the basis for EPA's decision to approve the State's listings of water quality limited segments requiring a TMDL identified in the State's 2010 303(d) list, ("Category 5 Waters (303(d) List)"). This review also describes the basis for EPA's decision to disapprove Arizona's decision to not include certain waters and pollutants on its list of water quality limited segments requiring a TMDL. EPA's determination to add waters and/or pollutants is based on monitoring results and information in the State's 2010 Status of Water Quality, Arizona's Integrated 305(b) Assessment and 303(d) Listing Report ("2010 305(b) Assessment Report"), as well as additional material cited in the References section at the end of this document.

As discussed further below, EPA will open a public comment period on the additions to Arizona's Section 303(d) List, and will, if appropriate, revise the list of added waters and pollutants following consideration of any comments received. The general basis for adding individual waters and pollutants are discussed here and case-specific water body information is provided in Table 1 of this enclosure.

Statutory and Regulatory Background

Identification of WQLS for Inclusion on Arizona's Section 303(d) List

CWA Section 303(d)(1) directs States to identify those waters within its jurisdiction for which effluent limitations required by §301(b)(1)(A) and (B) are not stringent enough to achieve any applicable water quality standard, and to establish a priority ranking for addressing such waters,

taking into account the severity of the pollution and the uses to be made of such waters. The 303(d) listing requirements apply to waters impaired by point and/or nonpoint sources, pursuant to EPA's long-standing interpretation of 303(d).

EPA regulations provide that States do not need to list waters where the following types of controls are adequate to implement applicable standards: (1) technology-based effluent limitations as required by the CWA, (2) more stringent effluent limitations required by federal, State or local authority, or (3) other pollution control requirements required by State, local, or federal authority. See 40 CFR 130.7(b)(1).

Consideration of Existing and Readily Available Water Quality-Related Data and Information

In developing its list of water quality limited segments requiring a TMDL, a State is required to assemble and evaluate all existing and readily available water quality-related data and information, including, at a minimum, consideration of existing and readily available data and information about the following categories of waters: (1) waters identified as partially meeting or not meeting designated uses, or as threatened, in the State's most recent 305(b) report; (2) waters for which dilution calculations or predictive modeling indicate nonattainment of applicable standards; (3) waters for which water quality problems have been reported by governmental agencies, members of the public, or academic institutions; and (4) waters identified as impaired or threatened in any 319 nonpoint assessment submitted to EPA. See 40 CFR 130.7(b)(5). In addition to these considerations, States are required to also consider other data and information that is existing and readily available. EPA's 2006 assessment and listing guidance describes types of water quality-related data and information that should be assembled and evaluated for developing State lists (EPA 2006, p. 30). While States are required to evaluate all existing and readily available water quality-related data and information, States may decide to rely or not rely on particular data or information in determining whether to list particular waters.

In addition to requiring States to assemble and evaluate all existing and readily available water quality-related data and information, EPA regulations at 40 CFR 130.7(b)(6) require States to include as part of their submittals to EPA documentation to support decisions to rely or not rely on particular data and information, and decisions to list or not list waters. Such documentation needs to include, at a minimum, the following information: (1) a description of the methodology used to develop the list; (2) a description of the data and information used to identify waters; and (3) any other reasonable information requested by EPA.

Priority Ranking

EPA regulations also address and interpret the CWA §303(d)(1)(A) requirement that States establish a priority ranking for listed waters. The regulations at 40 CFR 130.7(b)(4) require States to prioritize waters on their 303(d) lists for TMDL development, and also to identify those water quality limited segments targeted for TMDL development in the next two years. In prioritizing and targeting waters, States must, at a minimum, take into account the severity of the pollution and the uses to be made of such waters. See 303(d)(1)(A). As long as these factors are taken into account, the Clean Water Act provides that States establish priorities. States may consider other factors relevant to prioritizing waters for TMDL development, including

immediate programmatic needs, vulnerability of particular waters as aquatic habitats, recreational, economic, and aesthetic importance of particular waters, degree of public interest and support, and State or national policies and priorities. See 57 FR 33040, 33045 (July 24, 1992), and EPA 1991.

Analysis of Arizona's Submittal

Identification of Waters and Consideration of Existing and Readily Available Water Quality-Related Data and Information

EPA has reviewed the State's submittals and concludes that the State developed its 303(d) list of water quality limited segments requiring a TMDL in partial compliance with CWA §303(d) and 40 CFR 130.7. EPA's review is based on its analysis of whether the State reasonably considered existing and readily available water quality-related data and information and reasonably identified waters required to be listed.

Arizona used its 2006-2008 Section 303(d) List and 305(b) Report as its starting point, and based its 2010 Section 303(d) submittal on its analysis of readily available data and information to determine whether additions to or deletions from the 2006-2008 list were necessary. Many waters were retained on the 2008-2010 Section 303(d) List.

The State included the 27 pollutant-waterbody combinations added by EPA to the 2006-2008 impaired waters list into its 2010 303(d) Report. In the 2006-2008 and previous 303(d) lists, Arizona had maintained two separate lists, an Arizona list with waterbody segments requiring a TMDL, and an EPA list including waters determined by EPA to require a TMDL.

EPA concludes that the incremental listing approach is consistent with federal requirements because the State is making the environmentally conservative assumption that, absent more recent data or information supporting a different finding, previously listed waters are water quality limited segments. Further, we commend the State for work to clarify its 303(d) list of water quality limited segments requiring a TMDL.

Assembly of Data and Information

The State devoted considerable effort to assembling new data and information for the 2010 305(b) Assessment Report and development of the 303(d) list. Staff compiled data and information from multiple sources, including each of the data and information categories identified at 40 CFR 130.7(b)(5). Arizona's Department of Environmental Protection (ADEQ) staff actively sought data from available websites, agencies and groups likely to have data. The State issued public notice soliciting data and information from the public in 2008, with submittals requested by March 31, 2009. Additionally, the solicitation notice was emailed to an extensive emailing list, and posted on the ADEQ website. In response to this public call for data, 26 entities submitted information and data. Overall, the State considered data and information submitted during the comment period including: fish advisories; USEPA databases; existing and

readily available water quality data and information reported by local, State and federal agencies, citizen groups, academic institutions and the public; and other sources of data and information that were readily available to staff. EPA finds the State's approach assembling readily available information to be reasonable.

The State's assembling of data focused on data collected over a 5-year period, between January 1, 2004 and December 31, 2008 along with limited additional data submitted during the public comment period from January 6, 2012 to April 2, 2012 (ADEQ, 2012b). In some cases, the State considered older data as part of its 2010 listing assessments, depending upon the pollutants at issue, the types of data, and the availability of more recent data and information. EPA finds it reasonable for the State to base its assessments on water quality data generally collected during the 2004-2008 timeframe because the more recent ambient water quality data are more likely to be representative and indicative of current water quality conditions. EPA also finds it is reasonable for the State to consider some data (e.g., sediment and tissue data) that are older in age because these media usually are longer-term indicators of chemical contamination than ambient water column data, and provide reliable information for assessing water quality conditions for a longer period of time.

EPA's review found the data compilation process was sufficiently clear and consistent with federal listing requirements, and a sufficient basis for water body assessments

Listing Methodology

ADEQ's document *Surface Water Assessment Methods and Technical Support* (ADEQ 2011) provides information on the methodology ADEQ uses to identify impaired waters, and specifies explicit factors for making listing and delisting decisions for different pollutant types based on different kinds of data. Also, in July 2000, Arizona enacted a statute governing its identification of impaired waters. See Arizona Revised Statutes (ARS) §49-232. ADEQ regulations known as the "Impaired Water Identification Rule" or "IWIR" became effective in 2002. See Arizona Administrative Code R18-11-601 *et seq.* ADEQ prepared the 2010 Section 303(d) list in accordance with the *2011 Surface Water Assessment Methods and Technical Support* document, and the IWIR.

In general, ADEQ includes a waterbody in Category 5 based on adequate documentation showing that water quality standards contained in the Arizona Administrative Code Title 18, Chapter 11, Article 1, Water Quality Standards for Surface Waters, were not being met during the period January 1, 2004 through December 31, 2008. If sufficient data were not available to make a use support evaluation, an attainment determination of "Inconclusive" (Category 3) was made. (See ADEQ 2011 and Appendix B Assessment Units by Category).

The *Surface Water Assessment Methods and Technical Support* (ADEQ 2011) includes assessment methodologies and quantitative assessment factors including statistical methods for evaluating potential standard exceedance, minimum data set requirements, and data quality requirements. These decision factors are applied to various types of data, including water chemistry, bacteria, nutrients, nuisance factors, and water and sediment toxicity.

Arizona's 2010 305(b) Assessment Report includes a list of water segments where a water quality standard is not met or expected to be met, but an impairment is being addressed by a USEPA approved TMDL. (See 2010 draft, Appendix B, Assessment Units by Category.) EPA understands this list to include water segments and pollutant pairs which the State has identified as impaired but is not requiring a new or revised TMDL at this time.

The State used the assessment decision factors as the basis for the majority of its 2010 listing decisions. EPA reviewed the various assessments and concludes the State's assessments are consistent with federal listing requirements and applicable water quality standards in almost all cases. EPA, relying on federal listing regulations and guidance, has determined that some waters and/or pollutants that meet the Federal listing requirements under 40 CFR 130.7 were omitted from the State's list of water quality limited segments requiring a TMDL. The basis for EPA's decisions to add several waters/pollutants is discussed in greater detail in the following section.

Basis for EPA Decisions to Add Waters to Arizona's 2010 303(d) List

This section describes the basis for EPA's decisions to (1) disapprove the State's omission of several water bodies and/or pollutants from the submitted list of water bodies, and (2) add these water bodies and associated pollutants to Arizona's 2010 Section 303(d) list. EPA analyzed the State's water body assessments and supporting rationales to determine whether the State's decisions not to list waters were consistent with federal listing requirements and the provisions of State water quality standards. The State is required to evaluate potential violations of both narrative and numeric water quality objectives. See 40 CFR 130.7(b)(3).

When determining whether to add waters to Arizona's Section 303(d) List, EPA first considered provisions within State water quality standards and, if necessary, referred to listing criteria contained in EPA's water quality assessment guidance documents (EPA 2001, 2003, 2005, 2006, 2009).

A. Fish Tissue impaired for mercury

Arizona's draft 2010 305(b) Assessment Report identified 17 water body segments for which fish consumption advisories were in effect for these waterbodies during the listing period. In 2009 ADEQ adopted a fish consumption (FC) standard based on EPA's recommended CWA section 304(a) water quality criterion for methyl mercury, expressed as a fish tissue concentration value, and set at 0.3 milligram methyl mercury per kilogram of wet-weight fish tissue, or 0.3 mg/kg. In January 2001, EPA published its recommended CWA section 304(a) water quality criterion for methyl mercury, expressed as a fish tissue concentration value, and set at 0.3 milligram methyl mercury per kilogram of wet-weight fish tissue, or 0.3 mg/kg. This criterion represents the concentration of methyl mercury in freshwater and estuarine fish and shellfish tissue that should not be exceeded to protect consumers of fish and shellfish among the general population. EPA recommends that States, territories, and authorized tribes use the criterion in establishing or updating water quality standards for waters of the United States and in

issuing fish and shellfish consumption advisories. States and authorized tribes remain free not to use EPA's current recommendations, provided that their water quality criteria for methyl mercury protect the designated uses and are based on a scientifically defensible methodology, considering bioaccumulation and local or statewide fish consumption. (EPA 2010). EPA's methyl mercury criterion of 0.3 mg methyl mercury/kg in fish tissue is based on a total fish and shellfish consumption-weighted rate of 17.5 gm fish/day.¹ Under CWA section 303(c), States and authorized tribes must adopt water quality criteria that protect designated uses. Section 303(c)(1) provides that States and authorized tribes review their water quality standards every three years and modify and adopt water quality standards as appropriate.

ADEQ advisories are based on exceedances of Arizona's methyl mercury fish tissue standard of 0.3 mg/kg. ADEQ, however, has not adopted narrative implementation procedures for fish consumption advisories. ADEQ's document *Surface Water Assessment Methods and Technical Support* (ADEQ 2011) specifies that until implementation procedures are adopted, ADEQ will not use fish consumption data for impairment listing decisions. (ADEQ 2011, p.46)

In October 2012, ADEQ issued a mercury fish consumption advisory recommending that people limit consumption of striped bass caught in the southern portion of Lake Powell, from Dangling Rope Marina in Utah to Glen Canyon Dam in Arizona. Since 2005, the State of Utah has collected and analyzed tissue samples from fish caught from Lake Powell for elevated levels of mercury.

In July 2011 ADEQ issued a mercury fish consumption advisory for Tonto Creek (Tributary at 341810 / 1110414 to Haigler Creek) recommending that people limit consumption of common carp, and do not consume smallmouth bass, green sunfish and black bullhead catfish from this area.

Based on EPA's review of available data, for two waterbodies the arithmetic average mercury concentrations in a given game fish (as defined by NAC 503.060), striped bass, smallmouth bass, green sunfish, black bullhead catfish, and common carp² exceed ADEQ's criterion of 0.3 mg methyl mercury/kg in fish tissue, and thus at least one use is impaired, meeting the federal listing requirements under 40 CFR 130.7 (See ADEQ 2012c). Therefore, EPA is adding two water body pollutant combinations identified in Table 1 to the list of water quality limited segments requiring a TMDL. These waters represent waters where fishing or shellfish do not support the "fishable" goals of the CWA (40 CFR 130.10(D)(6)).

¹ Based on available data, human exposures to methyl mercury are predominantly from freshwater/estuarine and marine fish. Estimated exposure from ambient water, drinking water, nonfish dietary foods, air, and soil are all, on average, at least several orders of magnitude less than those from freshwater/estuarine fish intakes. However, ingestion of marine fish is a significant contributor to total methyl mercury exposure.

² ADEQ's web pages on fish consumption advisories includes striped bass, smallmouth bass, green sunfish, black bullhead catfish, and common carp in its list of waters with species-specific consumption advisories.

B. Aquatic and Wildlife water quality standards for copper, ammonia and chlorine exceedances

Based on EPA's review of available data, four reaches of the Santa Cruz River are impaired for copper, ammonia and chlorine (see ADEQ's Chapter 2 Water Quality Assessments by Watershed, Santa Cruz Watershed, pp. 60 and 63). These four reaches are described below:

- 1) Santa Cruz River, waterbody segment AZ 15050303-005A, has five exceedances of the copper acute Aquatic and Wildlife effluent dependent water (A&Wedw) standard during the assessment period of January 1, 2004 – December 31, 2008;
- 2) Santa Cruz River waterbody segment AZ 15050301-009, has three exceedances of the chlorine acute A&Wedw standard during the last 3 years of monitoring data of the assessment period (2006-2008);
- 3) Santa Cruz River waterbody segment AZ 15050301-001, has three exceedances of the ammonia acute A&Wedw standard during the last 3 years of monitoring data of the assessment period (2006-2008), and six exceedances of the ammonia chronic A&Wedw standard during the assessment period (2004-2008); and
- 4) Santa Cruz River waterbody segment AZ 15050301-003B, has two exceedances of the ammonia acute A&Wedw standard during the last 3 years of monitoring data of the assessment period (2006-2008), and four exceedances of the ammonia chronic A&Wedw standard during the assessment period (2004-2008).

ADEQ placed the above four waterbody segments in *Category 4b - Other pollution control requirements are reasonably expected to result in the attainment of the water quality standard*; however, ADEQ did not provide sufficient rationale in the 2010 305(b) Assessment Report as to why the waterbody would not require a TMDL. USEPA will evaluate on a case-by-case basis a State's decision to exclude certain segment/pollutant combinations from Category 5 based on the Category 4b alternative. USEPA's Integrated Reporting Guidance (IRG) for Sections 303(d) indicates that States should provide in their Section 303(d) list submission a rationale that supports their conclusion that there are "other pollution control requirements" stringent enough to achieve applicable WQS within a reasonable period of time (EPA 2006).

Good Cause for Delisting

Arizona's 2010 305(b) Assessment Report identified 11 water body-pollutant combinations that were not included on the Section 303(d) List because analysis of available monitoring data supported a conclusion that applicable standards were no longer exceeded. See 2010 305(b) Assessment Report, Appendix E, Delisting Impairments. In addition to the 11 waterbody-pollutant combinations included in Appendix E, Delisting Impairments, ADEQ did not include the Little Colorado River (15020008-017) water quality segment for copper and silver. ADEQ staff provided a de-listing report (ADEQ 2009) to EPA on November 13, 2012 that described the reasons for delisting the Little Colorado River (15020008-017) waterbody segment for copper

and silver. EPA reviewed Arizona's rationale for its decision not to include on its 2010 Section 303(d) List, waters that were previously included on its 2006-2008 Section 303(d) List.

Arizona also identified 10 water body-pollutant combinations for which TMDLs have been developed to address water quality impairments; these are identified as Category 4a waters, and thus are not included on the 2010 303(d) list of Category 5 waters. See 2010 305(b) Assessment Report, Appendix B, Assessment Units by Category.

The State demonstrated to EPA's satisfaction good cause for not listing each of these groups of waters. See, 40 CFR 130.7(b)(6)(iv).

Public Comments

ADEQ sought public input at several points in the process of developing the 2010 303(d) list and the draft 2010 305(b) Assessment Report including:

- Public solicitation for data, beginning in 2008 and continuing through March 31, 2009.
- Solicitation for public comments on Arizona's January 2012 draft Section 303(d) list from January 6 to April 2, 2012 (ADEQ 2012b).
- Solicitation for comments on Arizona's revised 2010 Section 303(d) list and responsiveness summary addressing public comments received on the January 2012 draft 303(d) list, from June 22, 2012 through August 6, 2012 (ADEQ 2012b). ARS §49-1092.03 provides for a 45-day period following publication during which any party that submitted written comments may challenge a listing of an impaired water by submitting a notice of appeal to ADEQ.

Priority Ranking / Scheduling

The State's submittal includes a priority ranking for TMDL completion for those waters requiring a TMDL, using a low/medium/high scale. See 2010 305(b) Assessment Report, Appendix C, ADEQ TMDL Priority Ranking and Schedule. We find that these priority rankings for TMDL development meet requirements related to priority setting in 40 CFR 130.7(b). TMDL development priorities were not set for waters and pollutants for which TMDLs have been completed or that are being addressed through other control actions. EPA concludes that the decision not to identify priority rankings for these waters and pollutants is appropriate. EPA is not taking action on these priorities as federal regulations do not require EPA approval of priority rankings or schedules.

Administrative Record Supporting This Action

In support of this decision to partially approve and partially disapprove Arizona's listing decisions, EPA carefully reviewed the materials submitted by Arizona with its listing decisions.

The administrative record supporting EPA's decision to approve the State's inclusion of the waters and pollutants identified on the State's 2010 303(d) Report, Category 5 List, and to add certain waters and/or pollutants includes the materials submitted by the State, EPA guidance concerning preparation of Section 303(d) lists, EPA's past comments on Arizona's listing methodology and draft lists, and EPA's decision letter and this enclosure. EPA determined that the materials provided by the State with its submittal provided sufficient documentation to support our analysis and findings that the State listing decisions meet the requirements of the CWA and associated federal regulations. We are aware that the State compiled and considered additional materials (e.g., raw data and water quality analysis reports) as part of its list development process that were not included in the materials submitted to EPA. EPA did not consider all these additional materials as part of its review of the listing submittal. It was unnecessary for EPA to consider all of the materials considered by the State in order to determine that, based on the materials submitted to EPA by the State, the State complied with the applicable federal listing requirements. Moreover, federal regulations do not require the State to submit all data and information considered as part of the submittal. At EPA's request, the State did provide additional materials on a case-specific basis for our review of the raw data and other relevant information. EPA's decisions to add certain waters and/or pollutants to the State's Section 303(d) List is supported by the monitoring data and information available within the State's administrative record and additional material cited in References.

Table 1: Water bodies added by EPA to Arizona's 2010 Section 303(d) 2010 List of Waters Requiring a TMDL

Water Body	Water body ID	EPA Assessment Summary
Lake Powell	14070006-1130	ADEQ's criterion of 0.3 mg methyl mercury/kg in fish tissue exceeded, and fish consumption use impaired.
Tonto Creek - Trib at 341810 / 1110414 - Haigler Creek	15060105-013B	ADEQ's criterion of 0.3 mg methyl mercury/kg in fish tissue exceeded, and fish consumption use impaired.
Santa Cruz River - HUC 15050303 Boundary - Baum	15050303-005A	ADEQ's acute copper water quality standard exceeded, and A&Wedw use impaired.
Santa Cruz River Nogales - WWTP – Josephine Canyon	15050301-009	ADEQ's chronic chlorine water quality standard exceeded, and A&Wedw use impaired.
Santa Cruz River – Roger Road WWTP outfall - Intermittent Reach	15050301-003B	ADEQ's acute and chronic ammonia water quality standard exceeded, and A&Wedw use impaired.
Santa Cruz River – Canada del Oro – HUC 15050303	15050301-001	ADEQ's acute and chronic ammonia water quality standard exceeded, and A&Wedw use impaired.

References

Submittal

Arizona Department of Environmental Quality, 2012. Transmittal of the 2010 303(d) List. Letter from Mike Fulton, ADEQ, to Nancy Woo, USEPA and supporting materials, including the 2010 303(d) List, and responsiveness summary, dated October 17, 2012.

Other Documents

40 CFR Part 130 Water Quality Planning and Management.

ADEQ 2009. De-list Report for Dissolved Copper and Dissolved Silver, Reach 15020008-017, Little Colorado River – Porter Tank Draw to McDonald’s Wash, September 23, 2009.

ADEQ 2011. Surface Water Assessment Methods and Technical Support, December 2011.

ADEQ 2012a. Draft 2010 Status of Ambient Surface Water Quality in Arizona, Arizona’s Integrated §305(b) Assessment and §303(d) Listing Report, January 2012.
<http://azdeq.gov/environ/water/assessment/assess.html>

ADEQ 2012b. Notice of Public Information, Arizona Department of Environmental Quality. Arizona Administrative Register (AAR), Volume 18, Issue 25, June 22, 2012, pg. 1404-1417.
http://azsos.gov/public_services/Register/2012/25/pubinfo.pdf

ADEQ 2012c. Fish Consumption Advisories - October 2012, Publication Number: FS 12-09.
<http://www.azdeq.gov/environ/water/assessment/download/fca.pdf>, accessed December 12, 2012.

EPA 1978. December 28, 1978 Federal Register Notice, Total Maximum Daily Loads Under Clean Water Act, finalizing EPA's identification of pollutants suitable for TMDL calculations, 43 Fed. Reg. 60662.

EPA 1985. January 11, 1985 Federal Register Notice, 40 CFR Parts 35 and 130, Water Quality Planning and Management: Final Rule, 50 Fed. Reg. 1774.

EPA 1991. Guidance for Water Quality Based Decisions: The TMDL Process. EPA 440/4-91-001 U.S. Environmental Protection Agency, Office of Water, Washington, DC.

EPA, 2001. 2002 Integrated Water Quality Monitoring and Assessment Report Guidance, Robert H. Wayland III, Director, Office of Wetlands, Oceans and Watersheds, November 19, 2001.

EPA. 2001. Water Quality Criterion for the Protection of Human Health: Methyl mercury. Final. EPA-823-R-01-001. January 2001

EPA, 2003. Guidance for 2004 Assessment, Listing and Reporting Requirements Pursuant to Sections 303(d) and 305(b) of the Clean Water Act; TMDL-01-03, Diane Regas, Director, Office of Wetlands, Oceans and Watersheds, July 21, 2003.

EPA, 2005. Guidance for 2006 Assessment, Listing, and Reporting Requirements Pursuant to Sections 303(d), 305(b), and 314 of the Clean Water Act. Diane Regas, Director, Office of Wetlands, Oceans and Watersheds, July 29, 2005.

EPA, 2006. Information Concerning 2008 Clean Water Act Sections 303(d), 305(b) and 314 Integrated Reporting and Listing Decisions. Diane Regas, Director, Office of Wetlands, Oceans and Watersheds, October 12, 2006.

EPA, 2009. Information Concerning 2010 Clean Water Act Sections 303(d), 305(b) and 314 Integrated Reporting and Listing Decisions. Suzanne Schwartz, Director, Office of Wetlands, Oceans and Watersheds, May 5, 2009.

EPA. 2010. *Guidance for Implementing the January 2001 Methyl mercury Water Quality Criterion*. EPA 823-R-10-001. U.S. Environmental Protection Agency, Office of Water, Washington, DC.

FDA. 1995. FDA Fact Sheet "Mercury in Fish: Cause For Concern?" Revised May 1995. Available at: http://www.fda.gov/OHRMS/DOCKETS/ac/02/briefing/3872_Advisory%207.pdf