

From: Craig J. Wilson
To: Craig J. Wilson
Date: 4/5/02
Time: 10:00AM - 12:00PM
Subject: Listing Meth Guidance Conference call is finalized for:
Place: Call: 202-898-0905 -- ask to be put into the bridge

FRIDAY, April 5
1 PM Eastern time
Call: 202-898-0905 -- ask to be put into the bridge

AGENDA:

- * Review of Mike Haire's Draft guidance concept
- * Suggested refinements, additions, etc.
- * Next Steps:
 - ** Guidance development
 - ** TMDL manager input/communication

Dear Work Group:

Here is my shot at what I believe are the key elements of a Reasonable Assessment and Listing Methodology. Remember, this is just my thinking. I am hoping that with the collective "brain-power" of the workgroup, we can fine-tune this and lay out a list of elements with the proper level of detail that assures that the future Integrated Water Quality Reports are timely, understandable, informative and defensible. To simplify my writeup, I assign the following codes before each section number; the first number is a gross estimate of the level of explanation or written detail recommended based on a scale of 1-10. 1 being the least detail and 10 being the most detailed. The second number is what I call the reference quotient - what is the ability to reference some other document or source as opposed to re-stating the material in detail in the methodology. So, a 5/9 before an element would suggest that a moderate level of detail should suffice, and that there is a high degree of opportunity to reference some other document or source for this element. .

I. First, a word about the purpose of CALM:

In the final language of the 2000 TMDL Rule, EPA declined to specify the detailed contents of an adequate assessment methodology. EPA believes that States, Territories, and authorized Tribes need the flexibility to tailor their assessment methodology to their monitoring programs and the waterbodies within their jurisdiction and that methods change over time. To assist States, Territories and authorized Tribes, EPA is, however, developing guidance on this subject which will include key elements of monitoring programs, monitoring design for achieving comprehensive coverage of assessments of all waters, as well as a process for developing decision criteria for determining impairments for 303(d) purposes. This guidance will be available to the States, Territories, and authorized in 2000, unless delayed by the TMDL rider.

II. Next, Here's what the Regs say now:

40 CFR -- PART 130 --

§ 130.4 Water quality monitoring.

(a) In accordance with section 106(e)(1), States must establish appropriate monitoring methods and procedures (including biological monitoring) necessary to compile and analyze data on the quality of waters of the United States and, to the extent practicable, ground-waters. This requirement need not be met by Indian Tribes. However, any monitoring and/or analysis activities undertaken by a Tribe must be performed in accordance with EPA's quality assurance/quality control guidance.

(b) The State's water monitoring program shall include collection and analysis of physical, chemical and biological data and quality assurance and control programs to assure scientifically valid data. The uses of these data include determining abatement and control priorities; developing and reviewing water quality standards, total maximum daily loads, wasteload allocations and load allocations; assessing compliance with National Pollutant Discharge Elimination System (NPDES) permits by dischargers; reporting information to the public through the section 305(b) report and reviewing site-specific monitoring efforts.

[50 FR 1779, Jan. 11, 1985, as amended at 54 FR 14359, Apr. 11, 1989]

Amendment(s) published July 13, 2000, in 65 FR 43663

Effective Date(s) This regulation is not effective until 30 days after the date that Congress allows EPA to implement this regulation. EPA will publish notice of the effective date in the Federal Register.

11. Amend newly designated § 130.10 in paragraph (a) by adding a note to the paragraph, and revise paragraph (b) as follows:

§ 130.10 Water quality monitoring.

(a) * * *

Note to paragraph (a): EPA recommends that you use "Policy and Program Requirements to Implement the Mandatory Quality Assurance Program", EPA Order 5360.1, April 3, 1984, as revised July 16, 1998, or subsequent revisions.

(b) The State's water monitoring program shall include collection and analysis of physical, chemical and biological data and quality assurance and control programs to assure scientifically valid data. The uses of these data include determining abatement and control priorities; developing and reviewing water quality standards, total maximum daily loads, wasteload allocations and load allocations; assessing compliance with National Pollutant Discharge Elimination System (NPDES) permits by dischargers; reporting information to the public through the section 305(b) report and reviewing site-specific monitoring efforts and source water assessments conducted under the Safe Drinking Water Act.

III. Now, here are my thoughts on what might be included in a reasonable Assessment and Listing Methodology, along with my thoughts on the level of detail for each element:

8/5 1. Define the State's Water Quality Assessment Objectives - Why is the State collecting and compiling water quality data? How is the data to be used in the decision making process?

8/5 2. Describe the State's Monitoring and Assessment Strategy - Why approach does the

State employ to collect and compile data? At what frequency is data collected? Does the state employ a rotating basin or watershed approach? How does the state develop annual monitoring workplans?

9/4 3. Describe the state's data and information solicitation process - How does the state solicit data and information from all sources? What QA/QC requirements does the state prescribe in order to consider data?

9/8 4. Describe the state's Assessment Unit (AU) delineation approach - What georeferencing system does the state employ to define the geographic location of the AUs in a state? Does the state use NHD or some other system?

5/9 5. Discuss the approach used in the assignment of designated uses and criteria to each AU - How does the state assign narrative and numeric criteria to each AU?

8/8 6. Identify which physical, chemical and biological measurements are collected and /or used to make attainment decisions for each AU - What specific measures are collected and used to determine the status of each AU?

9/5 7. Discuss the field protocols employed for each parameter collected - What sampling techniques are used for each measurement?

6/9 8. Describe the sampling strategy for each designated use and criterion - How many replicates are collected for each criterion?

9/5 9. Describe the process for making attainment determinations - What is the statistical basis for making an attainment determination? How much data? What statistical methods? What are the exceedance thresholds?

9/5 10. Describe the process used by the state to allocate all AU's to the 5 categories described in the 2002 guidance - What decision criteria is used by the state to place waters in the 1-5 categories?

6/9 11. Describe the state's data management protocols - What data management system does the state use and how does it document data quality? What is the state's process for submitting data to STORET?

5/9 12. Describe the distribution and outreach process for reporting results - How does the state communicate findings to decision makers, the public, and to EPA?