



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10

1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140

OFFICE OF THE
REGIONAL
ADMINISTRATOR

OCT 31 2012

Mr. Brett VandenHeuvel
Executive Director
Columbia Riverkeeper
111 Third Street
Hood River, Oregon 97031

Mr. Bart Mihailovich
Spokane Riverkeeper
35 W. Main Avenue
Suite 300
Spokane, Washington 99201

Mr. Chris Wilke
Executive Director
Puget Soundkeeper Alliance
5305 Shilshole Ave NW, Suite 150
Seattle, Washington 98107

Mr. Matt Krogh
Project Manager
North Sound Baykeeper
2309 Meridian Street
Bellingham, Washington 98225

Dear Mr. VandenHeuvel, Mr. Wilke, Mr. Mihailovich, and Mr. Krogh:

Thank you for your correspondence dated October 12, 2012, which outlines a number of concerns regarding recent changes by the Washington Department of Ecology in their rulemaking approach for a revised fish consumption rate. Furthermore, the letter expresses frustration with the length of time it has taken for Ecology to adopt a protective FCR to derive human health criteria within Washington's Water Quality Standards, and requests further engagement from the U.S. Environmental Protection Agency.

Establishing an accurate FCR is an incredibly complex process with difficult policy considerations. However, I assure you that the adoption of human health criteria that reflect an appropriate FCR for Washington's waters and that address the EPA's desire for regional consistency remains a high priority for the EPA. Our recent actions in Idaho and Oregon provide strong precedent for the current process in Washington.

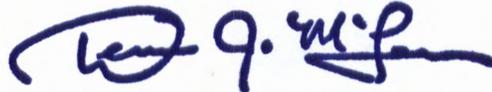
The EPA strongly supports adoption of human health criteria that are derived using scientifically sound data, including applicable regional and local fish consumption rate surveys. These surveys demonstrate that tribal and other high fish consuming residents are eating fish at rates significantly higher than the current default rates. If and when there is regional or local data showing higher fish consumption rates, it needs to be considered for derivation of Washington's human health criteria.

The EPA is committed to working with Ecology to adopt protective human health criteria efficiently, and we will help provide Ecology the support and resources to accomplish this goal. At this time, we believe it's appropriate for Ecology to lead this work with the EPA's assistance, and we are pleased to see that Ecology has shown its commitment to adopt new human health criteria by issuing a formal notice for rule-making activities on September 21.

I continue to think it is critical for organizations such as yours to remain at the table during Ecology's rulemaking process to ensure their voices and viewpoints are heard. You are able to provide an important message that would be lacking if you choose not to participate in Ecology's policy forum meetings. We are committed to working with Ecology to adopt protective human health criteria in a timely manner, but your involvement is also key to this process. Your participation would help convey that adopting an accurate and protective FCR is needed for the protection of all citizens of Washington.

The EPA looks forward to continued collaboration with you for a successful outcome. If you have further questions, please contact Angela Chung, EPA's Water Quality Standards Unit Manager, at (206) 553-6511 or Dan Opalski, our Director for the Office of Water and Watersheds, at (206) 553-1855.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dennis J. McLerran". The signature is stylized and cursive.

Dennis J. McLerran
Regional Administrator

cc: Mr. Ted Sturdevant, Director,
Washington State Department of Ecology



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10

1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140

OFFICE OF THE
REGIONAL
ADMINISTRATOR

OCT 31 2012

Mr. Brett VandenHeuvel
Executive Director
Columbia Riverkeeper
111 Third Street
Hood River, Oregon 97031

Mr. Bart Mihailovich
Spokane Riverkeeper
35 W. Main Avenue
Suite 300
Spokane, Washington 99201

Mr. Chris Wilke
Executive Director
Puget Soundkeeper Alliance
5305 Shilshole Ave NW, Suite 150
Seattle, Washington 98107

Mr. Matt Krogh
Project Manager
North Sound Baykeeper
2309 Meridian Street
Bellingham, Washington 98225

Dear Mr. VandenHeuvel, Mr. Wilke, Mr. Mihailovich, and Mr. Krogh:

Thank you for your correspondence dated October 12, 2012, which outlines a number of concerns regarding recent changes by the Washington Department of Ecology in their rulemaking approach for a revised fish consumption rate. Furthermore, the letter expresses frustration with the length of time it has taken for Ecology to adopt a protective FCR to derive human health criteria within Washington's Water Quality Standards, and requests further engagement from the U.S. Environmental Protection Agency.

Establishing an accurate FCR is an incredibly complex process with difficult policy considerations. However, I assure you that the adoption of human health criteria that reflect an appropriate FCR for Washington's waters and that address the EPA's desire for regional consistency remains a high priority for the EPA. Our recent actions in Idaho and Oregon provide strong precedent for the current process in Washington.

The EPA strongly supports adoption of human health criteria that are derived using scientifically sound data, including applicable regional and local fish consumption rate surveys. These surveys demonstrate that tribal and other high fish consuming residents are eating fish at rates significantly higher than the current default rates. If and when there is regional or local data showing higher fish consumption rates, it needs to be considered for derivation of Washington's human health criteria.

The EPA is committed to working with Ecology to adopt protective human health criteria efficiently, and we will help provide Ecology the support and resources to accomplish this goal. At this time, we believe it's appropriate for Ecology to lead this work with the EPA's assistance, and we are pleased to see that Ecology has shown its commitment to adopt new human health criteria by issuing a formal notice for rule-making activities on September 21.

I continue to think it is critical for organizations such as yours to remain at the table during Ecology's rulemaking process to ensure their voices and viewpoints are heard. You are able to provide an important message that would be lacking if you choose not to participate in Ecology's policy forum meetings. We are committed to working with Ecology to adopt protective human health criteria in a timely manner, but your involvement is also key to this process. Your participation would help convey that adopting an accurate and protective FCR is needed for the protection of all citizens of Washington.

The EPA looks forward to continued collaboration with you for a successful outcome. If you have further questions, please contact Angela Chung, EPA's Water Quality Standards Unit Manager, at (206) 553-6511 or Dan Opalski, our Director for the Office of Water and Watersheds, at (206) 553-1855.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dennis J. McLerran". The signature is stylized and written in a cursive-like font.

Dennis J. McLerran
Regional Administrator

cc: Mr. Ted Sturdevant, Director,
Washington State Department of Ecology



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10

1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140

OFFICE OF THE
REGIONAL
ADMINISTRATOR

OCT 31 2012

Mr. Brett VandenHeuvel
Executive Director
Columbia Riverkeeper
111 Third Street
Hood River, Oregon 97031

Mr. Bart Mihailovich
Spokane Riverkeeper
35 W. Main Avenue
Suite 300
Spokane, Washington 99201

Mr. Chris Wilke
Executive Director
Puget Soundkeeper Alliance
5305 Shilshole Ave NW, Suite 150
Seattle, Washington 98107

Mr. Matt Krogh
Project Manager
North Sound Baykeeper
2309 Meridian Street
Bellingham, Washington 98225

Dear Mr. VandenHeuvel, Mr. Wilke, Mr. Mihailovich, and Mr. Krogh:

Thank you for your correspondence dated October 12, 2012, which outlines a number of concerns regarding recent changes by the Washington Department of Ecology in their rulemaking approach for a revised fish consumption rate. Furthermore, the letter expresses frustration with the length of time it has taken for Ecology to adopt a protective FCR to derive human health criteria within Washington's Water Quality Standards, and requests further engagement from the U.S. Environmental Protection Agency.

Establishing an accurate FCR is an incredibly complex process with difficult policy considerations. However, I assure you that the adoption of human health criteria that reflect an appropriate FCR for Washington's waters and that address the EPA's desire for regional consistency remains a high priority for the EPA. Our recent actions in Idaho and Oregon provide strong precedent for the current process in Washington.

The EPA strongly supports adoption of human health criteria that are derived using scientifically sound data, including applicable regional and local fish consumption rate surveys. These surveys demonstrate that tribal and other high fish consuming residents are eating fish at rates significantly higher than the current default rates. If and when there is regional or local data showing higher fish consumption rates, it needs to be considered for derivation of Washington's human health criteria.

The EPA is committed to working with Ecology to adopt protective human health criteria efficiently, and we will help provide Ecology the support and resources to accomplish this goal. At this time, we believe it's appropriate for Ecology to lead this work with the EPA's assistance, and we are pleased to see that Ecology has shown its commitment to adopt new human health criteria by issuing a formal notice for rule-making activities on September 21.

I continue to think it is critical for organizations such as yours to remain at the table during Ecology's rulemaking process to ensure their voices and viewpoints are heard. You are able to provide an important message that would be lacking if you choose not to participate in Ecology's policy forum meetings. We are committed to working with Ecology to adopt protective human health criteria in a timely manner, but your involvement is also key to this process. Your participation would help convey that adopting an accurate and protective FCR is needed for the protection of all citizens of Washington.

The EPA looks forward to continued collaboration with you for a successful outcome. If you have further questions, please contact Angela Chung, EPA's Water Quality Standards Unit Manager, at (206) 553-6511 or Dan Opalski, our Director for the Office of Water and Watersheds, at (206) 553-1855.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dennis J. McLerran". The signature is stylized and cursive.

Dennis J. McLerran
Regional Administrator

cc: Mr. Ted Sturdevant, Director,
Washington State Department of Ecology



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10

1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140

OFFICE OF THE
REGIONAL
ADMINISTRATOR

OCT 31 2012

Mr. Brett VandenHeuvel
Executive Director
Columbia Riverkeeper
111 Third Street
Hood River, Oregon 97031

Mr. Bart Mihailovich
Spokane Riverkeeper
35 W. Main Avenue
Suite 300
Spokane, Washington 99201

Mr. Chris Wilke
Executive Director
Puget Soundkeeper Alliance
5305 Shilshole Ave NW, Suite 150
Seattle, Washington 98107

Mr. Matt Krogh
Project Manager
North Sound Baykeeper
2309 Meridian Street
Bellingham, Washington 98225

Dear Mr. VandenHeuvel, Mr. Wilke, Mr. Mihailovich, and Mr. Krogh:

Thank you for your correspondence dated October 12, 2012, which outlines a number of concerns regarding recent changes by the Washington Department of Ecology in their rulemaking approach for a revised fish consumption rate. Furthermore, the letter expresses frustration with the length of time it has taken for Ecology to adopt a protective FCR to derive human health criteria within Washington's Water Quality Standards, and requests further engagement from the U.S. Environmental Protection Agency.

Establishing an accurate FCR is an incredibly complex process with difficult policy considerations. However, I assure you that the adoption of human health criteria that reflect an appropriate FCR for Washington's waters and that address the EPA's desire for regional consistency remains a high priority for the EPA. Our recent actions in Idaho and Oregon provide strong precedent for the current process in Washington.

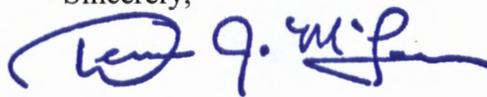
The EPA strongly supports adoption of human health criteria that are derived using scientifically sound data, including applicable regional and local fish consumption rate surveys. These surveys demonstrate that tribal and other high fish consuming residents are eating fish at rates significantly higher than the current default rates. If and when there is regional or local data showing higher fish consumption rates, it needs to be considered for derivation of Washington's human health criteria.

The EPA is committed to working with Ecology to adopt protective human health criteria efficiently, and we will help provide Ecology the support and resources to accomplish this goal. At this time, we believe it's appropriate for Ecology to lead this work with the EPA's assistance, and we are pleased to see that Ecology has shown its commitment to adopt new human health criteria by issuing a formal notice for rule-making activities on September 21.

I continue to think it is critical for organizations such as yours to remain at the table during Ecology's rulemaking process to ensure their voices and viewpoints are heard. You are able to provide an important message that would be lacking if you choose not to participate in Ecology's policy forum meetings. We are committed to working with Ecology to adopt protective human health criteria in a timely manner, but your involvement is also key to this process. Your participation would help convey that adopting an accurate and protective FCR is needed for the protection of all citizens of Washington.

The EPA looks forward to continued collaboration with you for a successful outcome. If you have further questions, please contact Angela Chung, EPA's Water Quality Standards Unit Manager, at (206) 553-6511 or Dan Opalski, our Director for the Office of Water and Watersheds, at (206) 553-1855.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dennis J. McLerran". The signature is stylized and cursive, with a large initial "D" and "M".

Dennis J. McLerran
Regional Administrator

cc: Mr. Ted Sturdevant, Director,
Washington State Department of Ecology