STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
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September 25, 2012

Mr. Dennis J. McLerran
Regional Administrator, Region 10
U.S. Environmental Protection Agency
1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140

Dear Mr. McLerran:

Thank you for your letter of September 6 regarding the Department of Ecology's work to revise our water quality standards. As you know, we have accelerated our timeline for this important work and have just taken the first formal step of updating our Surface Water Quality Standards with the filing of our Notice of Intent with the Office of the Code Reviser. The Code Reviser will then publish this notice in the Washington State Register. EPA's assistance, guidance and involvement will be needed and appreciated as we take on this important and complex task.

The public process around adoption of new human health criteria will include discussions of a broad array of important issues, including how much fish Washingtonians eat, what chemicals to address, new chemical toxicity factors, levels of acceptable risk and implementation. As you point out, current regional fish consumption information will be a critical element in our adoption of human health criteria. Our Technical Support Document, which summarizes regional fish surveys, will be finalized in November. Ecology will use this document to inform risk management decisions associated with development of the new water quality standards.

I understand that a number of people have expressed disappointment about our proposal to not have a default fish consumption rate in our Sediment Management Standards. However, I believe that our proposed standard of Reasonable Maximum Exposure will provide an appropriate, high level of protection for fish consuming communities impacted by sediment cleanups.

Adopting human health criteria in our Water Quality Standards will necessarily include the incorporation of an appropriate fish consumption rate, as well as many other risk management decisions that are important to Washington. This is the real work before us and a complex undertaking. I appreciate your willingness to work with us on these and related issues.

Sincerely,

Ted Sturdevant
Director

cc: Billy Frank, Jr., Chairman, Northwest Indian Fisheries Commission
Brian Cladoosby, Tribal Chairman, Swinomish Tribe