



## PROPOSED WATER QUALITY STANDARDS FOR ARIZONA

### Abstract

*The U.S. Environmental Protection Agency (EPA) is proposing various water quality standards that are applicable to surface waters in the State of Arizona. EPA is proposing the standards to comply with a federal court order. By taking this action, EPA establishes water quality standards for certain waters associated with mining-related impoundments that are currently exempt from Arizona water quality standards. The proposal designates the fish consumption beneficial use for approximately 100 water bodies where that use is not currently applied, and makes certain provisions in the State's standards related to "practical quantitation limits" inapplicable for Clean Water Act purposes. The proposal also provides for the implementation of State narrative water quality standards pertaining to toxicity, nutrients, and the effects of mercury on wildlife.*

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### Federal Authority

Under the federal Clean Water Act, States have the primary responsibility for developing and implementing water quality standards for surface waters within their boundaries. This legislation requires EPA to review and approve or disapprove State-adopted standards and to promulgate standards for States if they do not adopt acceptable water quality standards.

### Background

In September 1993 and April 1994, EPA disapproved six aspects of the Arizona water quality standards. While the State continued to work toward the adoption of approvable water quality standards, EPA was sued by the Defenders of Wildlife to promptly propose federal replacement standards for Arizona, as required by the Clean Water Act. In November 1995 the Federal District Court ordered EPA to satisfy the requirements of the Clean Water Act

and propose standards for Arizona by January 31, 1996.

### Proposed Revisions

In accordance with the court order, EPA is publishing proposed water quality standards in the *Federal Register* to replace portions of the Arizona water quality standards rules that were adopted by Arizona in February 1992. EPA will conduct a public hearing on February 29, 1996 to take comments on the proposed standards and the related implementation guidance, and will accept written comments until March 8, 1996.

The State of Arizona is currently in the process of adopting its own water quality standards and implementation procedures that are substantially similar to those EPA is proposing. When Arizona completes its adoption process and EPA approves the State standards, the federal standards will not be needed and EPA will withdraw the standards.

### **Costs and Benefits**

The proposed set of standards will have minimal economic costs and benefits because the standards are not major changes to the existing program. The proposed standards will establish standards for waters that are exempt from State-adopted standards due to a State rule related to mining impoundments and they will add protection to people eating fish caught from 100 specific perennial streams.

### **AREAS OF PROPOSED REVISION**

1. Mining impoundment exemption
2. Fish consumption use
3. Practical quantitation limits
4. Implementation policy for narrative nutrients criteria
5. Implementation policy for narrative toxics criteria
6. Monitoring program to assess protection of wildlife from mercury contamination

The proposed standards, and the related implementation guidance, will assure that the most up-to-date scientific laboratory methods are used to measure dischargers' compliance with the standards. The proposed standards will also include detailed guidance on measuring compliance with the State's narrative standards for nutrients, toxicity, and the protection of wildlife from mercury contamination.

### **Additional Information**

For additional information, you may contact Mr. Gary Wolinsky, Permits and Compliance Branch, Water Management Division, U. S. Environmental Protection Agency, Region 9 Office, 75 Hawthorne Street, San Francisco, CA 94105 (415) 744-1978.

The entire Federal Register notice may be viewed on the Internet, as follows: <http://www.epa.gov/EPA-WATER>. The notice contains detailed information on how the public can comment on these proposed standards.