



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 10

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OFFICE OF
WATER AND WATERSHEDS

June 23, 2014

Don Essig
Idaho Department of Environmental Quality
1410 N. Hilton
Boise, Idaho 83706

RE: EPA comments on Idaho's Discussion Paper #4 Market (All) or Local Fish

Dear Don:

EPA appreciates the opportunity to provide comments on the discussion paper, which the Idaho Department of Environmental Quality (DEQ) provided at the May 21, 2014 negotiated rulemaking meeting. This discussion paper considers some of the issues regarding Idaho's potential inclusion of market (all) fish and shellfish or only fish and shellfish consumed from local waters in the derivation of a fish consumption rate.

EPA's recommended 304(a) water quality criteria, and accompanying risk assessment methodologies, reflect the longstanding interpretation that a designated use consistent with the goals of the Clean Water Act means that state and tribal waters should support safe consumption of fish and shellfish. EPA expects that a state's human health criteria will be set to enable residents to safely consume from local waters the amount of fish they would normally consume from all fresh and estuarine waters.

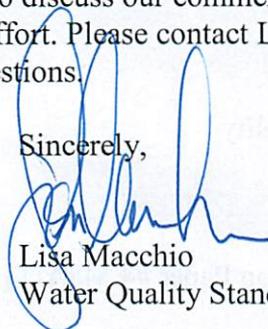
For example, if a state were to determine through scientifically collected data that its citizens consumed 20 grams of fish and shellfish per day, where 5 grams came from a local fresh water stream, 5 grams came from a neighboring state's fresh waters, 5 grams came from international imports of estuarine shellfish, and 5 grams came from aquaculture of a freshwater species, then the fish consumption rate would be 20 grams per day. All of the components, whether or not they are obtained from local waters, represent the amount of fish and shellfish that could be taken and consumed from local waters if the consumer chose to do so. EPA believes that this approach will ensure that the human health water quality criteria are set to allow citizens to safely consume the amount of fish and shellfish they would normally consume. This approach is consistent with a national water quality program principle that every state does its share to protect people who consume fish and shellfish that originate from multiple jurisdictions. In addition, the goal of water quality criteria for human health is to protect people from exposure to pollutants through fish and water over a lifetime, and the goal of a state's designated use should be that the waters are safe to fish in the context of the total consumption pattern of its residents.

EPA believes that a fish consumption rate that reflects the amount of fish Idahoans consume, should not just include the amount represented by an estimate of fish consumed from local waters. Thus, it would be appropriate for Idaho to include the consumption of market fish in the

fish consumption rate used to develop protective human health criteria in Idaho's water quality standards.

We are available if you would like to discuss our comments further, and we look forward to continued work with DEQ on this effort. Please contact Lon Kissinger (206-553-2115) or myself (206-553-1834) if you have any questions.

Sincerely,



Lisa Macchio
Water Quality Standards Coordinator