

STATEMENT OF BASIS

REVISIONS TO ARSD 74:51:01:50, 74:51:01:51 and 74:51:01 Appendix B

SURFACE WATER QUALITY PROGRAM

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1.0 Background

Proposed changes included deleting the Fecal coliform criteria from § :50 and § :51. When the Water Management Board adopted the *Escherichia coli* recreation criteria on March 11, 2009, it was with the understanding that the Fecal coliform criteria would be removed after sufficient time to allow changes to Surface Water Discharge Permits issued by the Department.

The nonylphenol criteria were recommended by the United States and Wildlife Service and by the United States Environmental Protection Agency (USEPA) during the triennial review held in December of 2014. The Department recommended not adopting the criteria until further discussion with the USEPA had occurred. Based on those discussions, the Department is now recommending these criteria be adopted.

2.0 Chapter 74:51:01 – Surface Water Quality Standards

2.1 § :50. Criteria for immersion recreation waters.

The Department is recommending the deletion of Fecal coliform as this bacterial parameter is no longer needed.

2.2 § :51. Criteria for limited contact recreation waters.

The Department is recommending the deletion of Fecal coliform as this bacterial parameter is no longer needed.

2.3 Appendix B Toxic Pollutant Criteria

Nonylphenol – This change reflects the latest U.S. EPA criteria for aquatic life.