

MAY - 5 2005

TO: ✓ Marcus Devine, ADEQ
✓ Dr. Mike McDaniel, LDEQ
✓ Mr. Ron Curry, NMED
✓ Mr. Steve Thompson, ODEQ
✓ Derek Smithee, OWRB
✓ Mr. Glen Shankle, TCEQ

I would like to thank you for your agency's participation in our April 6, 2005, meeting on the upcoming revisions to our regional approach to whole effluent toxicity (WET). The open and frank discussions on a predictive assessment for determining reasonable potential for WET limits, WET limits for sub-lethal effects, and concerns about specific issues in EPA's "Draft National Whole Effluent Toxicity WD Implementation Guidance" (December 28, 2004) were appreciated and helpful to my staff. I believe that implementing these requirements is critical for our agencies to meet our water quality and program integrity objectives. I look forward to working together as we move to full implementation of the basic WET program and compliance with federal regulations specific to permitting for WET.

Now that the initial informational session is completed, it is our intent to begin working individually with your representatives to develop a plan that fits your State's needs. I anticipate that this initiative will proceed simultaneously on several fronts, as there will be issues for administrative, enforcement and water quality as well as the permitting and toxicity groups. Phillip Jennings, the Region 6 WET coordinator, will be working directly with appropriate staff as designated by you in response to my February 24, 2005, letter to begin identifying tasks and to develop a time line for implementation. In addition, at the suggestion of your representatives at our April 6, 2005, meeting Region 6 is moving forward with an open workshop this fall to provide information and training on toxicity studies for sub-lethal effects in WET tests.

Again, thank you for your agency participation now and in the future to act on this area of improvement in our NPDES programs. If you have questions or would like to discuss any concerns further, please call me at (214) 665-7101, or reply directly to Willie Lane at (214) 665-8460 or via e-mail at lane.willie@epa.gov.

Sincerely yours,

Original signed by William K. Honker.

Miguel I. Flores

Director

Water Quality Protection Division

cc:

bcc: Branch Reading File 6WQ-P ✓
Division Reading File 6WQ ✓
John Blevins 6EN ✓

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CONCURRENCE:

Lane (6WQ-PP) ✓

Hill (6WQ-P)