
 **Fact Sheet**

Summary of a Final Rule Withdrawing Certain Federal Water Quality Criteria Applicable to Vermont, the District of Columbia, Kansas and New Jersey

Summary

The U.S. Environmental Protection Agency (EPA) published a rule withdrawing certain federal human health and aquatic life water quality criteria for toxic pollutants applicable to Vermont, the District of Columbia, Kansas and New Jersey. These states, and the District of Columbia, have adopted water quality criteria, and EPA has approved the criteria because they meet the requirements of the Clean Water Act (CWA). The federal criteria are no longer necessary, because EPA has approved the criteria the States adopted.

Background

In 1992, EPA promulgated a final rule (the National Toxics Rule, or NTR) (57 FR 60848) to establish numeric water quality criteria for 12 States and two Territories that had failed to comply fully with section 303(c)(2)(B) of the CWA, which requires the states to adopt numeric criteria for toxic pollutants. These criteria became the applicable water quality standards in those 14 jurisdictions under the CWA (Title 40 of the Code of Federal Regulations (CFR) at Part 131.36).

When EPA approves a state's adopted water quality criteria that meet the requirements of the CWA, EPA issues a rule withdrawing the federal criteria. If the state's criteria are no less stringent than the promulgated federal criteria, EPA will withdraw its criteria without notice and comment. When a state adopts criteria that are less stringent than the promulgated federal criteria, EPA will withdraw the federally promulgated criteria after notice and opportunity for public comment.

On March 26, 2001, EPA proposed to withdraw Vermont, the District of Columbia, Kansas and New Jersey from the National Toxics Rule (NTR) for certain human health and aquatic life criteria where the State adopted criteria that fully meet the requirements of the CWA. The proposed rule provided for a 60-day public comment period.

Today's Action

EPA is withdrawing certain federal human health and aquatic life criteria applicable to Vermont, the District of Columbia, Kansas and New Jersey. The federal criteria for these

pollutants are no longer necessary because these states have adopted criteria for the pollutants that meet the requirements of the CWA. Today's rule will amend Title 40 of the Code of Federal Regulations at Part 131.36. This proposed rule imposes no costs.

Additional Information

You can find the full text of the *Federal Register* notice at <http://www.epa.gov/waterscience/standards> under "Laws and Regulations." You can contact Thomas Gardner for more information. Write to him at Office of Science and Technology (4305T), U.S. EPA, 1200 Pennsylvania Ave NW, Washington DC, 20460 or call 202-566-0386.