



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

MAR 11 2013

REPLY TO THE ATTENTION OF:
WQ-16J

Martha Clark Mettler, Deputy Assistant Commissioner
Office of Water Quality
Indiana Department of Environmental Management
MC 65-40 IGCN 1255
100 North Senate Avenue
Indianapolis, Indiana 46204-2251

Dear Ms. Clark Mettler:

Thank you for your letter of March 19, 2012 requesting approval from the U.S. Environmental Protection Agency, under section 303(c) of the Clean Water Act (CWA), of Indiana's recently adopted revisions to the chloride and sulfate water quality criteria for the protection of aquatic life.

Consistent with section 303(c) of the CWA and federal regulation at 40 CFR 131.21, the EPA is required to review and approve state water quality standards. EPA has reviewed the information submitted in support of the chloride and sulfate criteria revisions and hereby approves the revised criteria pursuant to section 303(c) of the CWA and federal regulations at 40 CFR 131.21 subject to completion of consultation under section 7 of the Endangered Species Act (ESA).


As required under section 7 of the ESA, EPA has initiated, but not completed, consultation with the U.S. Fish and Wildlife Service regarding the effects of EPA's action on endangered and threatened species. EPA has determined that this approval action does not violate section 7(d) of the ESA, which prohibits irreversible or irretrievable commitments of resources that have the effect of foreclosing the formulation or implementation of reasonable and prudent alternatives, and has included in the record the basis.

In addition to continued work by EPA to conclude consultation on this action, EPA is conducting work to better understand the impact of chlorides and sulfates on aquatic life use protections. EPA anticipates publishing revised criteria under section 304(a)(1) of the CWA for chloride that will take into account both information included in the Iowa criteria upon which Indiana based its standards, as well as information that has been generated since the Iowa criteria's derivation in 2009. EPA will share the results of this work and its implications for Indiana's approved water quality standards with Indiana.

If you or your staff has any questions regarding this approval, please contact Barbara Mazur of my staff at (312) 886-1491. EPA looks forward to future discussions with Indiana regarding EPA's anticipated updates to these criteria.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tinka G. Hyde', with a long horizontal flourish extending to the right.

 Tinka G. Hyde
Director, Water Division

cc: Shivi Selvaratam, IDEM
Scott E. Pruitt, USFWS
Matthew Wesaw, Pokagon Band of Potawatomi Indians