

May 30, 2019

Kaitlyn Sutton, Environmental Consultant
Standards Development Section
Florida Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Re: Proposed Changes to Florida Water Quality Standards- Triennial Review

Dear Ms. Sutton,

Thank you for the opportunity to provide comments on potential changes to Florida's Water Quality Standards. Under the Federal Clean Water Act, states are required to periodically conduct a comprehensive review of their surface water quality standards, known as the "Triennial Review". Tampa Bay Water participated in the May 14, 2019 Florida Department of Environmental Protection (Department) public workshop (via teleconference) that initiated the current review process.

During the public workshop, the Department requested comments by the end of the month regarding:

- Any recommendations on the scope of this Triennial Review
- Comments on any issue(s) identified in the May 2019 public workshop presentation
- Suggestions on any additional issues or topics to include in this Triennial Review or future revisions to Florida's Water Quality Standards (WQS).

At this workshop, topics identified as currently under consideration by the Department included all rules with surface water quality standards; corresponding Notices of Rule Development were published on March 29, 2019 for the following (all under Florida Administrative Code):

- Chapters 62-4 (Permits)
- Chapter 62-302 (Surface Water Quality Standards)
- Chapter 62-303 (Identification of Impaired Surface Waters, or "TWR"), and
- Chapter 62-304 (Total Maximum Daily Loads).

Tampa Bay Water requests that the Department include protection of Florida's public drinking water supplies in this Triennial Review of water quality standards, and respectfully submits the following related recommendations and comments on Chapters 62-4 and 62-303 for the Department's consideration.

Chapters 62-4 (Permits)

Notification requirements - The Department has recently worked with Tampa Bay Water and major permittees to incorporate specific spill, discharge and/or other release notification requirements as permit conditions for discharges upstream of drinking water intakes. Rapid notifications to downstream drinking water facilities help protect public drinking water supplies, minimize impact to water treatment facilities, and reduce public health risk. It is recommended that similar notification requirements be required by rule as part of reasonable assurance for all applicable facility permits.

Chapter 62-302 (Surface Water Quality Standards) – Protection of Public Drinking Water Supplies

As described in the Department's May 2019 public workshop, "Water Quality Standards (WQS) describe the health conditions of waterbodies...and provide the means by which those conditions will be protected and managed." In addition, federal regulations require that "states must adopt those water quality criteria that protect the designated use. Such criteria must be based on sound scientific rationale and must contain sufficient parameters or constituents to protect the designated use. For waters with multiple use designations, the criteria shall support the most sensitive use" (40 CFR 131.11 (a)(1)).

As part of previous rule-making efforts to meet statutory requirements, the Department established a new designated use category, Class I-Treated, and identified seven Florida waters (or portions) as Class I-Treated waterbodies: Port St. Joe Canal (Gulf County), the Tampa Bypass Canal and the Alafia River (Hillsborough County), the Peace River (DeSoto County), the Caloosahatchee River (Hendry County), Marco Lakes (Collier County) and the Taylor Creek Reservoir (Orange and Osceola Counties). Associated criteria for the new Class I-treated designated use were approved

by the Florida Environmental Regulation Commission in 2016, but subsequently withdrawn by the Department.

The waterbodies listed above do not currently have appropriate WQC to protect the existing use for public water supply. As part of rule-making activities under this Triennial Review, it is recommended that the Department include development of specific WQC for the Class I-Treated Designated Use to protect public drinking water supplies in Florida. These WQC should ensure that Class I-Treated waters are protected as required by Florida Statute (403.061(29)(b), F.S.) and “shall be free from discharged substances at a concentration that, alone or in combination with other discharged substances, would require significant alteration of permitted treatment processes at the permitted treatment facility or that would otherwise prevent compliance with applicable state drinking water standards in the treated water”. Tampa Bay Water can provide the Department with related source water quality data, treatment process information and other assistance as-needed for the development of Class I-Treated WQC.

Chapter 62-302 (Surface Water Quality Standards) - Proposed Revisions to Current WQC identified at May 2019 Public Workshop

Cadmium - The Department is considering changing the Class III freshwater WQC for cadmium to allow higher concentrations based on recent USEPA recommendations. As the current Class I water quality criterion for cadmium is equivalent to the current Class III criterion, the potential impacts of the proposed Class III WQC change on downstream drinking water uses should be assessed. In addition, if the Department anticipates the use of this revised Class III criterion for the Class I-treated designated use category, the ability of permitted treatment facilities to meet drinking water standards with existing treatment processes should also be assessed.

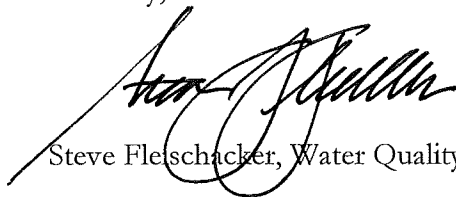
Turbidity - The Department is considering revising the current Class III criterion for turbidity to include a narrative approach intended “to better protect all waters”. As the current Class I water quality criterion for turbidity is equivalent to the current Class III criterion, the potential impacts of the proposed Class III WQC change on downstream

drinking water uses should be assessed. In addition, if the Department anticipates the use of this revised Class III criterion for the Class I-treated designated use category, the ability of permitted treatment facilities to meet drinking water standards with existing treatment processes should also be assessed.

Selenium - The Department is considering changing the Class III freshwater WQC for selenium to allow higher concentrations based on recent USEPA recommendations. As the current Class I criterion for selenium is equivalent to the current Class III criterion, the potential impacts of the proposed Class III WQC change on downstream drinking water uses should be assessed. In addition, if the Department anticipates the use of this revised Class III criterion for the Class I-treated designated use category, the ability of permitted treatment facilities to meet drinking water standards with existing treatment processes should also be assessed.

Thank you for the Department's consideration of Tampa Bay Water's comments on these proposed changes to Florida's Water Quality Standards and related rules. We would appreciate the opportunity to review and comment on any additional changes proposed by the Department. Please contact Bob McConnell at (727) 791-2376 or the address above if you have any questions or would like additional information regarding our comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Fleischacker", is written over a horizontal line.

Steve Fleischacker, Water Quality Services Senior Manager

cc: R. McConnell, Source Water Assessment Manager
K. Herd, Chief Science and Technical Officer
Records