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Sept. 22, 2022

Bureau of Water
South Carolina Department of Health and Environmental Control
2600 Bull Street
Columbia, South Carolina 29201-1708
VIA EMAIL: edwardaj@dhec.sc.gov

Re: 2022 Triennial Review notice of proposed regulation R.61-68 and R.61-69

Dear Mr. Edwards,

The notice of proposed regulation for R.61-68 (document 5119) references the adoption of EPA's "revised standard for aquatic life ambient water quality criteria for aluminum . . . in accordance with the CWA." However, EPA's 2018 Final Notice (EPA-822-R-18-001) stated, "As with the 1988 AWQC for aluminum, there are still insufficient data on estuarine and marine species to fulfill the [Minimum Data Requirements] as specified in the 1985 Guidelines. As a result, the EPA cannot recommend criteria for estuarine/marine waters at this time" (p. xv). This point was reiterated in EPA's Fact Sheet (EPA-822-F-18-003), "The EPA has published final updated aquatic life ambient water quality criteria recommendations for aluminum in freshwater under Section 304(a)(1) of the Clean Water Act to reflect the latest scientific knowledge. There are not enough data to support the development of estuarine/marine aluminum criteria at this time." The applicability to "freshwaters" is also captured in the Federal Register announcement (Vol. 83, No. 245, Dec. 21, 2018, 65663) and in EPA's aluminum criteria calculator used to determine the normalized aluminum acute and chronic criteria. This distinction about the applicability of the new criteria only to freshwater is not captured in the notice of proposed regulation or proposed R.61-68. We do not believe it is appropriate to extrapolate the freshwater standards to estuarine or marine waters and thus, request that the distinction be adequately documented in this review process and within the updated R.61-68.

Sincerely,

A handwritten signature in black ink, appearing to read "Jason Thompson".

Jason Thompson
Source Water Manager
Charleston Water System

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Attachments: na

cc: Mark Cline, P.E., CWS Asst. Chief Executive Officer
Baker Mordecai, P.E., Chief Operating Officer

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