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**Date:** 10/18/2007 2:59 PM  
**Subject:** Follow-up To 10/17 Workgroup Meeting  
**Attachments:** 2004 Bacteria Final.pdf; UAAGUIDE.pdf

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Ying-Ying -

I wanted to follow up on a couple of the issues that came up yesterday.

What Is a "Swimmable" Water Quality Standard?

EPA considers waters designated for primary contact recreation and waters designated for secondary contact recreation -- but with criteria sufficient to support primary contact recreation -- to have "swimmable" standards consistent with the CWA §101(a) goal. Removing a "swimmable" standard and replacing it with a less than "swimmable" standard (or no recreation standard at all) is acceptable only where the revision is adequately justified by a UAA. Various implementation questions pertinent to water quality criteria for indicator bacteria (including single sample criteria) are addressed in the 2004 (draft) bacteria implementation guidance.  
(See attached file: 2004 Bacteria Final.pdf)

What is Primary Contact Recreation?

Generally, EPA's perspective is that "primary contact recreation" means activities (1) where there is a high likelihood of incidental ingestion of water, or (2) that involve a high degree of bodily contact with the water. EPA believes a wide range of activities fall within the meaning of the phrase "primary contact recreation". Examples include, but are not limited to, swimming, rafting, kayaking, tubing, skin diving, surfing, water skiing, and water play by children.

EPA is specifically concerned that many waters lacking sufficient flow or depth suitable for immersion and swimming are nevertheless used by children in ways that pose a risk of exposure to pathogens as a result of ingesting small quantities of water (e.g., splashing, water fights, collection of aquatic organisms, and similar activities). Accordingly, we recommend that States and Tribes give special consideration to primary contact recreation uses by children (e.g., water play) when reviewing and designating uses.

What Is the Use Attainability Analysis (UAA) Requirement and When Should UAAs be Conducted?

Consistent with 40 C.F.R. § 131.10(j), a state or tribe must conduct a UAA when: 1) designating uses that do not include those that protect CWA 101(a)(2) uses; or 2) removing or adopting subcategories for uses that protect CWA 101(a)(2) uses if the new use or subcategory will require less stringent criteria than those associated with the previously designated use.

So, for example, if a refined Utah aquatic life use designation system is developed, or if the definition of Class 3C is clarified,

implementation of the new system (changing the use designations for individual segments) would need to be done consistent with the UAA requirement identified above. The UAA provides the structured scientific analysis that helps determine whether revisions to the use designations would be appropriate. We often tell people that the complexity of the UAA should reflect the complexity of the issues to be resolved.

I'm attaching some (1995) draft EPA Region 8 guidance that was developed to address several common UAA questions.

(See attached file: UAAGUIDE.pdf)

Thanks for another great meeting.

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Subject

9/12/2007 WQS Workgroup mtg info

Dear WQS Workgroup Members and Stakeholders,

The Division of Water Quality has a web page housing the WQS Workgroup meeting information. Please visit that web page by clicking on the link below, if you'd like to obtain the handouts and presentation file used during the WQS Workgroup meeting on 9/12/2007.

<http://www.waterquality.utah.gov/WQS/index.htm>

We welcome your suggestions in improving the web page and the meeting process. Please contact me or Bill Moellmer (538-6329, [wmoellmer@utah.gov](mailto:wmoellmer@utah.gov)) if you have any questions.

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