

**Update on USEPA Office of Water
Draft Methylmercury Criterion Implementation Guidance
April 2003**

- * When EPA announced the availability of the new water quality criterion for methylmercury on January 8, 2001, EPA stated that it would begin to develop implementation procedures and guidance documents by the end of 2001.
- * This non-traditional approach for setting water quality standards raises implementation questions on both the technical and programmatic fronts, such as translating the fish tissue residue value into a water concentration, and ultimately into NPDES permit limits. Furthermore, since a large source of mercury for many waterbodies may be atmospheric deposition, implementing this criterion involves coordination that cross various media and programs areas, and the guidance offers a means to explain this coordination.
- * The guidance, currently draft, relies on consolidating existing written guidance where possible and discusses two general approaches:
 - * Translating a fish tissue criterion to a water column value, and implementing the criterion through the usual tools for assessment, total maximum daily loads (TMDLs), and permits, and
 - * Directly implementing a fish tissue criterion making use of knowledge about fish consumption advisories, air deposition-driven TMDLs, and opportunities for pollution prevention as NPDES effluent limits.
- * The guidance provides mercury-specific guidance for developing bioaccumulation factors, revised the criteria to reflect site-specific factors, applying water quality variances, and use attainability analyses, selecting the appropriate analytical methods, and designing an appropriate field sampling plan for collecting fish.
- * The guidance provides insight to states and EPA on issues faced when determining the attainment of the fish tissue-based water quality criterion and applying it to develop TMDLs. These include the applicable flow for calculating TMDLs, harmonization of fish consumption advisory programs and water quality standards, watershed-scale TMDLs, and relationship of this criterion to the Great Lakes Initiative criteria.
- * The guidance section on applications to the NPDES permit program are still in draft, and at this time cover topics such as determining reasonable potential to exceed a the fish tissue water quality criterion and deriving water quality based effluent limits directly from a fish tissue criterion. These approaches consider the significance of air deposition in relation to other potentially significant sources of mercury to the watershed and whether implementation of current air regulations can reasonably be expected to result in mercury reductions sufficient to achieve water quality standards.
- * EPA will be conducting outreach on the concepts in the draft guidance in the Spring of 2003.
- * For more information, see www.epa.gov/ost/criteria/methylmercury/ or contact Jim Pendergast (202) 566-0398 or pendergast.jim@epa.gov.