



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10**

1200 Sixth Avenue, Suite 155
Seattle, WA 98101

WATER
DIVISION

September 15, 2022

Mr. Randy Bates
Director
Division of Water
Alaska Department of Environmental Conservation
P.O. Box 111800
Juneau, Alaska 99811

Re: EPA's Review of Alaska's 2022 Integrated Report and Approval of the Section 303(d) List

Dear Mr. Bates:

The U.S. Environmental Protection Agency (EPA) has completed our review of Alaska's 2022 Integrated Water Quality Monitoring and Assessment Report (Integrated Report or IR), including the Clean Water Act section 303(d) list of impaired waters, a priority ranking for impaired waters still requiring Total Maximum Daily Load (TMDL) and submission schedule, and the associated supporting documentation and information. EPA received the 2022 IR and 303(d) list from the Alaska Department of Environmental Conservation (ADEC) on August 31, 2022, via electronic transmission. ADEC plans to upload the IR and supporting documentation to the ATTAINS online database¹ once technical issues with the system are resolved.

Pursuant to EPA's authorities under section 303(d) of the CWA, 33 U.S.C. § 1313(d), and the implementing regulations at 40 C.F.R. Part 130, EPA is approving Alaska's 2022 303(d) list of 20 waterbody segment/pollutant pairs. Although the Alaska IR describes the status of all of Alaska's waters, EPA is only acting on the waters proposed to be listed in Category 5, which constitutes the 303(d) list applicable to the waters within the jurisdiction of the State of Alaska. In taking this action on Alaska's section 303(d) list, EPA considered the information in the project record, including but not limited to, Alaska's 2022 Category 5 data and the narrative supporting documents. A summary of EPA's review of Alaska's compliance with each statutory and regulatory requirement pertaining to 2022 303(d) list is described in the enclosure to this letter.

EPA notes that ADEC included the "TMDL and Watershed Plan Schedule" document in its 2022 IR submittal. Consistent with 40 C.F.R. § 130.7(d)(1), the TMDL priority ranking and submission schedule identifies dates by which the State anticipates completing TMDLs for submittal to EPA or completing alternative restoration plans. As recognized in EPA guidance, TMDL submission schedules are intended to help the public and EPA understand the State's priorities and assist in work planning.² EPA acknowledges Alaska's TMDL priority ranking and submission schedule and finds it satisfies these purposes.

¹ The Assessment, Total Maximum Daily Load (TMDL) Tracking and Implementation System (ATTAINS) is EPA's electronic system to accept and track CWA section 303(d) submissions and Agency actions.

² EPA, Guidance for 2006 Assessment, Listing and Reporting Requirements Pursuant to Sections 303(d), 305(b) and 314 of the Clean Water Act, at 63 (July 29, 2005).

We would like to acknowledge the hard work of Terri Lomax, Chandra McGee, Amber Bethe and all the ADEC staff in developing the 2022 303(d) list.

If you have any questions, please feel free to call me at (206) 553-1855, or have your staff contact Jill Fullagar, EPA Assessment Program Coordinator, at (206) 553-2582; or Hanh Shaw, the Standards and Assessment Section Manager, at (206) 553-0171.

Sincerely,

Daniel D. Opalski
Director

Enclosure: EPA Clean Water Act Review and Decision Rationale

cc (e-Copy): Ms. Terri Lomax, Statewide Program Manager, ADEC, terri.lomax@alaska.gov
Ms. Chandra McGee, Section Manager, ADEC, chandra.mcgee@alaska.gov
Ms. Amber Bethe, Environmental Program Specialist, ADEC, amber.bethe@alaska.gov