To: Conde, Rosaura[Conde.Rosaura@epa.gov]; Monschein, Eric[Monschein.Eric@epa.gov]; Havard, James[Havard.James@epa.gov]
Cc: Dwyer, Stacey[Dwyer.Stacey@epa.gov]
From: Wooster, Richard
Sent: Tue 6/27/2017 1:12:50 PM
Subject: Follow-up to our AR 303(d) discussion yesterday

Buenos dias Rosaura,

In response to your question, I will be in the office this Thursday, 29 June; however, the call with AR will not yet have happened by then.

I will be out of the office beginning Friday, 06/30, through Friday, 07/14 – returning Monday, 07/17. As I mentioned yesterday, I intend to call in for a discussion with ADEQ now planned for 0830 , Thursday, 07/06.

Thanks for making time yesterday for our preliminary discussion of an AR 303(d) pathway, and the directions I have received from my management. To summarize, here are the instructions I understand to have been given me by my acting RA:

1. Approve the waters AR has proposed to list.
2. Agree the Big Creek segment (Buffalo River tributary) is category 3.
3. Develop a rationale for, and defer on 51 waterbody/pollutant pairs (including 9 such pairs listed in 2008, which include Osage, Spring x 2, Muddy Fork, and others)
4. Develop a suitable approach and rationale for not overlisting Osage, Spring and Muddy Fork (and, by extension any of the others among the 9 which remain contentious after conversing with DEQ.)
5. Convene a conference call with ADEQ to discuss and gain consensus on an approach to address 2008-listed waterbodies.
6. Complete action on AR 303(d) by end of July, 2017.

As we discussed, my thought is to use 4B to address at least Osage, Spring, and Muddy Fork (if not all 9 pairs from 2008.) In this scenario, the state would propose 4B in 2018 list (due in 9 months) and we would accept.

- Regulatory controls over litter application in the watershed
- Extraordinary efforts and resources having been committed to foundation of TMDLs/alternatives in watershed (Illinois River Watershed modeling project)
- A side letter exchange would address how EPA would view the 4 or 9 waterbody/pollutant pairs pending receipt/approval of 2018 list.

Next steps:

For me:

- I plan to enjoy a few final days with my 17 year old son, before he departs for a 6-12 month stay in China. ☺
- I also plan to spend some time with friends from Europe who are going to visit us for several days. ☺
- Penultimately, I'm going to try and effect a move from one house to another while doing items 1 and 2. ☹
- Finally, I'll try to convince the state to agree with my strategy for the 9 waterbodies in question, consistent with discussion above.

For others:

- I greatly appreciate HQ's ongoing interest in and support for the Region's decision/action regarding AR 303(d). I would be happy to consider any suggested alternative approaches you might have which achieve the Acting RA's goal, as well as any specific wording concerns you may have as we move forward.
- Should you feel it appropriate to elevate the Region's planned decision/action to Tom, John, Benita, or Mike, please expedite. Upon my return to work 07/17, I'm sure we will be moving ahead quickly. As I mentioned yesterday, my Acting RA has already had fairly specific conversations with Mike about the AR 303(d) situation, so Mike should probably have some fairly deep context on this.

Thanks again for your support,

richard

Richard A. Wooster
Chief, Assessment, Listing and TMDL Section

(214) 665-6473

-----Original Appointment-----
From: Conde, Rosaura
Sent: Monday, June 26, 2017 4:34 PM
To: Wooster, Richard; Monschein, Eric; Havard, James
Subject: HOLD - Check-in on AR List
When: Wednesday, June 28, 2017 4:30 PM-5:00 PM (UTC-05:00) Eastern Time (US & Canada).
Where: Jim's Office

Hey Richard – I'm holding some time in our calendars to check in before you leave. Are you in the office Thursday or is that your first day of leave? Couldn't tell from your calendar.