UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

OCT 0 9 2009

Mr. Mitchell Cypress, Chairman
Seminole Tribe of Florida
6300 Stirling Road
Hollywood, Florida 33024

Dear Mr. Cypress:

The U.S. Environmental Protection Agency (EPA) has completed its review of the revisions to Chapter B of the Seminole Tribe of Florida's Rules, *Water Quality Protection and Restoration: Rules to Carry Out the Federal Clean Water Act and the Tribal Water Code,* submitted by Mr. Craig D. Tepper's letter dated June 2, 2009. The revisions, which are contained in Part 12, *Water Quality Standards for Surface Waters,* were adopted by the Seminole Tribal Council on March 24, 2009, and certified as duly adopted pursuant to applicable Tribal law by Mr. Jim Shore, General Counsel.

The revisions updated the 304(a) numeric criteria in Table 12, *Criteria for all Reservation Surface Waters on Big Cypress and Brighton Reservations*, to reflect EPA's national recommended criteria. The revised human health and aquatic life criteria, which are shown in the enclosure, are consistent with the EPA's National Water Quality Criteria dated 2005 and, therefore, comply with the provisions of 40 CFR § 131.11(b)(1)(i). EPA approves these revisions for all purposes of the Clean Water Act (CWA) pursuant to EPA's authority under Section 303(c) of the CWA and its implementing regulations at 40 CFR Part 131.

EPA has initiated consultation with the U.S. Fish and Wildlife Service (FWS) under Section 7 of the Endangered Species Act on the Agency's review of the aquatic life criteria included in the enclosure. EPA's decision to approve the revised aquatic life Tribal standards is subject to the results of the national consultation under Section 7 of the Endangered Species Act with the FWS. By approving the standards "subject to the results of the national consultation," EPA retains its discretion to take appropriate action if the consultation identifies deficiencies in the standards requiring remedial action by EPA. EPA will notify the Tribe if remedial action is required. We would like to commend you and your staff for your long-standing efforts to protect and enhance the waters of south Florida, and encourage you to continue to develop your water quality standards program. If you have any questions regarding EPA's action or need other

assistance, please contact me at (404) 562-9470 or have a member of your staff contact Eve Zimmerman at (404) 562-9259.

Sincerely,

Gail Mitchell, for

James D. Giattina
Director
Water Protection Division

Enclosure

cc: Craig D. Tepper, Seminole Tribe
Cherise Maples, Seminole Tribe
Lisa Meday, Seminole Tribe

Enclosure

Water Quality Criteria for the Protection of Human Health

Parameter	Class 1		Class 2-B		Class 2-C		Class 3	
	Existing Criteria	Revised Criteria	Existing Criteria	Revised Criteria	Existing Criteria	Revised Criteria	Existing Criteria	Revised Criteria
Antimony	14	5.6	4300	640	4300	640		
Benzene	1.18	2.2	71.28	51	71.28	51		
1,1-Dichloroethylene	0.057	330	3.2	7100	3.2	7100		
Methylene chloride	4.65	4.65	1580	590	1580	590		
2,4-Dinitrotoluene	0.11	0.11	9.1	3.4	9.1	3.4		
Dioxin (2, 3, 7, 8-TCDD)	0.000000014	5.0E-9	0.000000014	5.1E-9	0.000000014	5.1E-9	0.000000014	5.1E-9
Bromoform	4.3	4.3	360	140	360	140		
Chlorodibromomethane	0.41	0.41	34	13	34	13		
Dichlorobromomethane	0.27	0.55	22	17	22	17		
Methyl bromide	48	47	4000	1500	4000	1500		
Hexachlorobutadiene	0.44	0.44	50	18	50	18		
Chlorophenoxy Herbicide (2,4,-D)	70	100	14000	None	14000	None		
Aldrin	0.00013	0.0000049	0.00014	0.000050	0.00014	0.000050		
Hexachlorocyclohexane (beta)	0.014	0.0091	0.046	0.017	0.046	0.017		
Chlordane	0.00058	0.00080	0.00059	0.00081	0.00059	0.00081		
4,4'-DDT	0.00059	0.00022	0.00059	0.00022	0.00059	0.00022		
Dieldrin	0.00014	0.000052	0.00014	0.000052	0.00014	0.000052		
Heptachlor	0.00021	0.000079	0.00021	0.000079	0.00021	0.000079		
BHC - alpha	0.0039	0.0026	0.013	0.0049	0.013	0.0049		
BHC - beta	0.014	0.0091	0.046	0.017	0.046	0.017		
BHC - gamma	0.019	0.98	0.063	1.8	0.063	1.8		
2-Chlorophenol	120	81	400	150	400	150	400	150
2,4-Dichlorophenol	93	77	790	290	790	290	790	290
2,4-Dimethylphenol	540	380	2300	850	2300	850	2300	850
2-Methyl-4,6-Dinitrophenol	13.4	13	765	280	765	280	765	280
Pentachlorophenol	0.28	0.27	8.20	3	8.20	3	8.20	3
2,4,6-Trichlorophenol	2.1	1.4	6.5	2.4	6.5	2.4	6.5	2.4
2,4-Dinitrophenol (expressed in mg/l)	0.0697	0.0697	14.26	5.30	14.26	5.30	14.26	5.30
Bis(2-Ethylhexyl)phthalate	1.8	1.2	5.9	2.2	5.9	2.2		
Butylbenzyl phthalate	3000	1500	5200	1900	5200	1900		
Diethyl phthalate	23000	17000	120000	44000	120000	44000		
Dimethyl phthalate	313000	270000	290000	1100000	290000	1100000		
Di-n-butyl phthalate	2700	2000	12000	4500	12000	4500		
Polychlorinated Biphenyls (PCB)	0.000044	0.000064	0.000045	0.000064	0.000045	0.000064		

Enclosure

Water Quality Criteria for the Protection of Human Health

Parameter	Class 1		Class 2-B		Class 2-C		Class 3	
	Existing Criteria	Revised Criteria	Existing Criteria	Revised Criteria	Existing Criteria	Revised Criteria	Existing Criteria	Revised Criteria
Anthracene	9600	8300	110000	40000	110000	40000		
Benzo(a)anthracene	0.0028	0.0038	0.031	0.018	0.031	0.018		
Benzo(a)pyrene	0.0028	0.0038	0.031	0.018	0.031	0.018		
Chrysene	0.0028	0.0038	0.031	0.018	0.031	0.018		
Dibenzo(a,h)anthracene	0.0028	0.0038	0.031	0.018	0.031	0.018		
Fluoranthene	300	130	370	140	370	140		
Fluorene	1300	1100	14000	5300	14000	5300		
Indeno(1,2,3-cd) pyrene	0.0028	0.0038	0.031	0.018	0.031	0.018		
Pyrene	960	830	11000	4000	11000	4000		
Benzo(k)fluoranthene	0.0028	0.0038	0.031	0.018	0.031	0.018		
Benzo(b)fluoranthene	0.0028	0.0038	0.031	0.018	0.031	0.018		
1,1,2,2-Tetrachloroethane	0.17	0.17	10.8	4.0	10.8	4.0		
Tetrachloroethylene	0.8	0.69	8.85	3.3	8.85	3.3		
Thallium	1.7	0.24	6.3	0.47	6.3	0.47		
Trichloroethlyene	2.7	2.5	80.7	30	80.7	30		

Water Quality Criteria for the Protection of Aquatic Life

Parameter	Class 1		Class 2-B		Class 2-C		Class 3	
	Existing Criteria	Revised Criteria	Existing Criteria	Revised Criteria	Existing Criteria	Revised Criteria	Existing Criteria	Revised Criteria
Arsenic Trivalent			190	150	190	150		
Cadmium	$\exp^{(0.7852[\ln H]-3.49)}$	$\exp^{(0.7409[\ln H]-4.719)}$	$\exp^{(0.7852[\ln H]-3.49)}$	$\exp^{(0.7409[\ln H]-4.719)}$	$\exp^{(0.7852[\ln H]-3.49)}$	$\exp^{(0.7409[\ln H]-4.719)}$	$\exp^{(0.7852[\ln H]-3.49)}$	$\exp^{(0.7409[\ln H]-4.719)}$
Chromium Trivalent	$\exp^{(0.819[\ln H]+1.561)}$	$\exp^{(0.819[\ln H]+0.6848)}$	$\exp^{(0.819[\ln H]+1.561)}$	$\exp^{(0.819[\ln H]+0.6848)}$	$\exp^{(0.819[\ln H]+1.561)}$	$\exp^{(0.819[\ln H]+0.6848)}$	$\exp^{(0.819[\ln H]+1.561)}$	$\exp^{(0.819[\ln H]+0.6848)}$
Copper	$\exp^{(0.8545[\ln H]-1.465)}$	$\exp^{(0.8545[\ln H]-1.702)}$	$\exp^{(0.8545[\ln H]-1.465)}$	$\exp^{(0.8545[\ln H]-1.702)}$	$\exp^{(0.8545[\ln H]-1.465)}$	$\exp^{(0.8545[\ln H]-1.702)}$	500	$\exp^{(0.8545[\ln H]-1.702)}$
Nickel	$\exp^{(0.846[\ln H]+1.1645)}$	$\exp^{(0.846[\ln H]+0.0584)}$	$\exp^{(0.846[\ln H]+1.1645)}$	$\exp^{(0.846[\ln H]+0.0584)}$	$\exp^{(0.846[\ln H]+1.1645)}$	$\exp^{(0.846[\ln H]+0.0584)}$	100	$\exp^{(0.846[\ln H]+0.0584)}$
Dieldrin	0.0019	0.056	0.0019	0.056	0.0019	0.056		
Endrin	0.0023	0.036	0.0023	0.036	0.0023	0.036		
Parathion	0.04	0.013	0.04	0.013	0.04	0.013		
Toxaphene	0.0002	0.002	0.0002	0.002	0.0002	0.002		
Silver	$\exp^{(1.72[\ln H]-6.52)}$	$\exp^{(1.72[\ln H]-6.59)}$	$\exp^{(1.72[\ln H]-6.52)}$	$\exp^{(1.72[\ln H]-6.59)}$	$\exp^{(1.72[\ln H]-6.52)}$	$\exp^{(1.72[\ln H]-6.59)}$	$\exp^{(1.72[\ln H]-6.52)}$	$\exp^{(1.72[\ln H]-6.59)}$
Zinc	$\exp^{(0.8473[\ln H]+0.7614)}$	$\exp^{(0.8473[\ln H]+0.884)}$	$\exp^{(0.8473[\ln H]+0.7614)}$	$\exp^{(0.8473[\ln H]+0.884)}$	$\exp^{(0.8473[\ln H]+0.7614)}$	$\exp^{(0.8473[\ln H]+0.884)}$	$\exp^{(0.8473[\ln H]+0.7614)}$	$\exp^{(0.8473[\ln H]+0.884)}$