

Governor Inslee to announce state water quality policy Wednesday morning.

Governor Inslee's office has scheduled a meeting with business and local government representatives for 10:00 am on July 9th to announce his policy direction on human health water quality criteria. Last fall the Washington Department of Ecology outlined its recommended alternatives for the 45 chemicals that are on the national priority pollutants list with toxicity to human health. Ecology proposed using high fish consumption rate (125, 175 and 223 grams per day) for non-carcinogens and the same rates for carcinogens at a risk policy of one in one million or one in one hundred thousand. Both are considered essentially the same under EPA national policy and appropriate as long as high consuming populations are protected to a level of at least one in ten thousand. Ecology also proposed to provide more specific treatment for criteria for PCBs, mercury and arsenic.

It has appeared that Ecology favors the use of a one in one hundred thousand risk policy for the carcinogenic criteria. This approach is well within EPA guidance and entirely consistent with the principles of environmental justice. It would afford high consuming populations protection at conservative level that is generally considered across EPA and FDA programs to represent the equivalent of a zero increased risk of cancer from exposures at that level.

Washington has been under intense pressure from EPA Region 10 to use the higher fish consumption rates and a risk policy of one in one million. Regional Administrator Dennis McLarren has reportedly assured Northwest Tribes that he will recommend rejection of any criteria that are not based on the more conservative risk policy. He is also reported to have told the Governor that if the state does not fall in line, he will reject the criteria and that he has the backing of EPA Headquarters on the issue.

The last three months have been interesting as Ecology staff has pushed Region 10 to justify its position on the standards. In a March meeting with Ecology EPA claimed that one in one million was a "baseline" for environmental justice. In follow up emails, however, the EPA regional head of the Office of Water and Watersheds conceded that there was no written EPA policy or guidance to support that number. Since then we have an almost daily and dizzying display by Region 10 to justify a position that has no real basis under the Clean Water Act.

So on Wednesday morning we'll see if the Governor intends to rely on science or politics to set state human health water quality criteria.