

EPA upsets groups with policy change

By **RON MATUS**

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The U.S. Environmental Protection Agency sided with polluters when it "flip-flopped" on a new rule in Florida that could affect how many degraded rivers, lakes and bays get cleaned up, environmentalists said after a court filing Thursday.

"EPA was behind us until the new administration came in," said Linda Young of the Clean Water Network, one of eight state and national environmental groups that filed an "intent to sue" in Atlanta and Washington, D.C. "Now they say they love the rule."

A local environmental group, the Gilchrist County-based Save Our Suwannee, is among the parties that filed the papers.

At issue is a concept called Total Maximum Daily Loads, or TMDLs, which are the amounts of pollution a water body can take every day before it becomes polluted.

As part of the Clean Water Act, TMDLs were supposed to have been calculated for every water body in Florida 20 years ago, but state officials did not take action until prompted by lawsuits from environmental groups.

Once TMDLs are determined, plans can be devised to reduce pollution from farms, factories and anything else that is contributing.

For now, it's unclear what water bodies will have their TMDLs calculated.

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Environmental Protection officials want to change the criteria for determining which water bodies are polluted enough to make a TMDL list. They say that will ensure the most polluted waters get help faster.

Among other changes, water samples would have to repeatedly exceed limits for bacteria, nitrates and other pollutants — as opposed to an occasional high reading — before a lake or stream makes the list.

The current planning list has more than 700 water bodies on it, including the Suwannee and Santa Fe rivers. Environmentalists worry that with the new criteria, hundreds of water bodies on the list will be shucked off.

In April, the Clean Water Network challenged the changes. Power companies, chemical makers and the pulp and paper industry are siding with DEP. An administrative hearing is set for Aug. 27.

Last year, EPA officials also expressed concern about the DEP plan. But in April, they dropped their opposition.

Young said other states are lining up to follow Florida's plan. EPA officials could not be reached for comment Thursday afternoon. If EPA does not reverse its position within 60 days, Young said a suit will be filed in federal court.