



January 27, 2017

Via <http://www.regulations.gov>

Mr. John Ravenscroft  
U.S. Environmental Protection Agency  
Office of Water, Health and Ecological Criteria Division  
Mail Code 4304T  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

**Re: Docket ID No. EPA-HQ-OW-2016-0715, Request for Scientific Views: Draft Human Health Recreational Ambient Water Quality Criteria and/or Swimming Advisories for Microcystins and Cylindrospermopsin, 81 Fed. Reg. 91,929 (Dec. 19, 2016)**

Dear Mr. Ravenscroft:

On behalf of the Agricultural Retailers Association (ARA), I respectfully request that the U.S. Environmental Protection Agency's (EPA) extend the public comment period for its Draft Human Health Recreational Ambient Water Quality Criteria and/or Swimming Advisories for Microcystins and Cylindrospermopsin by 90 days, from February 17, 2017 to May 18, 2017. EPA published the Draft Criteria on December 19, leaving stakeholders just 60 days to review and develop comments. Additional time is needed to allow stakeholders to review the detailed information contained in the draft, as well as in the numerous references cited therein, so that they can develop meaningful, scientific comments for EPA's consideration.

#### **Statement of Interest**

ARA is a not-for-profit trade association that represents America's agricultural retailers and distributors. ARA members provide goods and services to farmers and ranchers which include: fertilizer, crop protection chemicals, seed, crop scouting, soil testing, custom application of pesticides and fertilizers, and development of comprehensive nutrient management plans. Retail and distribution facilities are scattered throughout all 50 states and range in size from small family-held businesses or farmer cooperatives to large companies with multiple outlets.

#### **Comments**

The importance of sound scientific rationale to support water quality criteria cannot be overemphasized. Before publishing recommended 304(a) criteria, EPA must undertake a thorough review of the accuracy of the underlying science and the feasibility of its recommended criteria. Should EPA finalize the criteria at issue, they will have a significant regulatory impact.



Indeed, states that do not adopt the criteria as part of their water quality standards must justify that decision under the recently amended 40 C.F.R. § 131.20. As you know, many states do ultimately adopt EPA's recommended 304(a) criteria into their water quality standards.

To help ensure that the Agency's recommended criteria rest on sound scientific rationale and valid data, we hereby request an additional 90 days to review the draft criteria so that we and other stakeholders have sufficient time to provide meaningful scientific views, data, and other information before EPA moves any further along in this effort. An extension is also appropriate because EPA is not under any statutory deadline to develop the criteria at issue, nor is there any consent decree or settlement agreement that requires EPA action at all, much less by a date certain.

Thank you for your review and consideration of this request!

Sincerely,

A handwritten signature in blue ink that reads "Richard D. Gupton". The signature is written in a cursive, flowing style.

Richard D. Gupton  
Senior Vice President, Public Policy & Counsel