

Triennial Review Modifications to Mississippi's Water Quality Standards

Approved by EPA

Federal law requires all states to develop, review, revise, and adopt water quality standards (WQS), as needed, at least every three years through a process known as the triennial review. WQS standards must include three components: (1) the designated uses for the state's waterbodies, (2) the water quality criteria (narrative or numeric) necessary to protect those uses, and (3) antidegradation provisions to protect water quality. In accordance with the requirements of 40 CFR §131.20(a), MDEQ has completed Mississippi's [Triennial Review of WQS](#) (*11 Miss. Admin. Code Part 6, Chapter 2: Mississippi Commission on Environmental Quality Regulations for Surface Water Quality Criteria for Intrastate, Interstate, and Coastal Waters*).

The 45-day public comment period for the triennial review began on February 11, 2021, and expired on March 29, 2021. Near the end of the 45-day period, MDEQ received a request from stakeholders to provide a 10-day extension to the public comment period. This request was granted by MDEQ, and public comments were accepted until April 9, 2021. A public hearing was held regarding the proposed regulations on March 30, 2021. Due to ongoing concerns associated with the COVID-19 pandemic, the public hearing was held telephonically. The public was invited to participate, to ask questions of the staff, to gain information regarding the proposed modifications to the regulations, and to present verbal comments on the proposed regulations, if desired.

During the public comment period, MDEQ received written comments from six entities, and responsiveness summaries were developed for all comments received and sent directly to each individual stakeholder who provided comments. In addition, all comments received from the public regarding the draft revisions and all responsiveness summaries developed in response to those comments can be found on the [MDEQ WQS program webpage](#).

Slight changes and clarifications were made to the draft revisions based on public comments providing the final version of draft WQS revisions. The final draft revisions to the WQS were presented at the June meeting of the Mississippi Commission on Environmental Quality (the Commission). During this meeting (June 24, 2021), the Commission voted to adopt the amendments Mississippi's Water Quality Standards. This action was also reflected in Commission Order No. 7137-21 dated July 6, 2021.

A Notice of Final Rulemaking was published in the *Clarion-Ledger* and was also provided on the MDEQ webpage, MDEQ's social media platforms, and in MDEQ's monthly newsletter. No responses or inquiries were received to the Notice of Final Rulemaking. The last step in the administrative process is Attorney General Certification. The Special Assistant to Mississippi's Attorney General, Mr. Daniel Smith, certified in a letter dated September 24, 2021, that the revisions had been duly adopted according to state law. The proposed revisions to Mississippi's Water Quality Standards along with all required documentation were submitted to EPA Region 4 for their review on October 6, 2021, and EPA approved the revisions on December 17, 2021.

Modifications to Mississippi's Water Quality Standards as part of the triennial review are:

- The addition of three new waterbody classifications: (1) Outstanding Mississippi Waters, (2) Modified Fish and Wildlife, and (3) Drainage Waters. These additions will allow MDEQ to more accurately classify waterbodies and establish appropriate criteria for these waterbodies. MDEQ is not assigning any waterbodies to the new classifications during this triennial review.
- The addition of the Recreation classification to Bogue Homa, a tributary to the Pearl River located in southern Mississippi. Bogue Homa is one of seven Mississippi Blueways, or water trails, that have been mapped out for recreational canoers and kayakers by the Mississippi Gulf Coast National Heritage Area. For more information on Bogue Homa and other Blueways go [here](#).
- The adoption of EPA's most recent recommendations for water quality criteria for the protection of aquatic life from the effects of ammonia toxicity. More information on these criteria can be found [here](#).
- Numeric criteria for the protection of aquatic life have been updated for numerous parameters based on the most current water quality criteria recommendations from EPA.

- Further modifications include the addition of detailed information for the development of variances to water quality criteria and evaluating potential reclassification of waterbodies.

An electronic version of the recently approved water quality standards can be found on the [MDEQ website](#). More details and documentation related to the triennial review process can be found on the [MDEQ WQS program webpage](#).

If you have questions or need further information, please contact [Kim Caviness](#) or [Patrick Felch](#).