

# HUMAN HEALTH CRITERIA FREQUENTLY ASKED QUESTIONS



## Is DEP weakening standards?

Absolutely not. DEP and EPA are strengthening Florida's water quality standards, not weakening them. Moving forward with the proposed criteria is critical to better protect Floridians' health because the criteria nearly doubles the number of chemicals that the department will be able to regulate. The proposed rule sets stringent and protective criteria for 39 chemicals that currently have no limits.

In addition, this rule includes updates for 43 chemicals whose standards are more than 20 years old. Both the new and updated criteria have been calculated using the most advanced science, including recently issued guidance from the EPA. **Each and every criterion protects Floridians, according to both EPA and the World Health Organization.**

## Why is DEP updating these standards?

Florida's current standards were last updated in 1992. Under the federal Clean Water Act, states are required to periodically review standards publicly and modify and adopt changes as appropriate. To meet this requirement and to incorporate new data released by EPA last summer, DEP is working to update these criteria based on this new scientific information.

## Is it true that the 39 additional chemicals are not currently allowed in Florida's waters and that these standards will now allow them in our surface waters?

This is simply not true; in fact, the opposite is the case. There are currently no standards in place to allow DEP to directly regulate these 39 additional chemicals. This is exactly why it is so important for these standards to be adopted. The new standards will provide the basis for permit limits for these chemicals in surface water discharges from permitted facilities. In addition, the new criteria will provide critical information for water-quality assessments, which take into account these chemicals and target them for restoration.

## What are Human Health Criteria?

Human Health Criteria are health-based water-quality standards the U.S. Environmental Protection Agency (EPA) and the Florida Department of Environmental Protection (DEP) set to ensure Floridians can continue to safely eat Florida's seafood, and swim and drink potable water from state surface waters.

## Why didn't DEP just adopt EPA's numbers?

EPA's guidance and recommendation to states is to develop criteria that "use local or regional data in place of EPA's default value." DEP's proposed criteria take into account how, and how much, Floridians eat seafood, drink, shower and swim, and set the limits necessary to protect Floridians from adverse health effects. The criteria consider a range of environmental variables specific to Florida and account for the most at-risk populations, including young children, pregnant women and those whose diets comprise primarily of Florida seafood. **Each and every criterion protects Floridians, according to both EPA and the World Health Organization.**

## Why do some of EPA's and DEP's limits go up, while some go down?

Both the new and updated criteria have been calculated using the most advanced science, including recently issued guidance from the EPA for updating 43 chemicals whose standards are more than 20 years old. While EPA and DEP's chemical limits go up and down based on new data and science, **each and every criterion protects Floridians, according to both EPA and the World Health Organization.**

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## How were the proposed criteria calculated?

EPA issued new scientific recommendations in 2015, based on national water quality trends as well as averages for factors such as human weight and water use. The department is required to follow EPA's science while also accounting for Florida's specific water chemistry and population.

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## Are these criteria less protective than EPA's?

Each and every one of Florida's proposed criterion protects Floridians, according to both EPA and the World Health Organization. The criteria are consistent with level of protection contained in EPA's recommendations.

## Did any outside experts weigh in on the development of these criteria?

To help develop our criteria, DEP received direct input from a seven-member scientific review panel, that provided comments and recommendations on our technical and scientific approach. This panel included representatives from the EPA, the Florida Department of Health, four different Florida universities and the California Environmental Protection Agency. DEP is following the panel's recommendations.

## What did DEP do to engage and inform the public?

DEP's nationally recognized scientists have worked diligently since 2012 to develop the proposed Florida-specific human health criteria. These criteria have been calculated based on the best science available, guidance from EPA and a scientific peer review panel, and input from the public.

Since 2012, the department has held 11 public workshops/meetings at a variety of locations across Florida as part of this rulemaking. These included public workshops in West Palm Beach, Orlando, Tallahassee, Leesburg, Fort Myers and Stuart.

There was also public participation in the public meeting for the Human Health Criteria Peer Review Committee in 2012, which discussed the methodology to derive the criteria in detail.

All parties that requested notification of rulemaking activities and updates as part of our interested parties list were also sent notices via email notifying them of the public meetings. Through this effort, the department has regularly communicated with more than 1,000 individuals, organizations and stakeholders to provide updates and solicit feedback.

## Are these standards being changed to cater to industry or allow fracking?

No, this update stems from requirements under the Clean Water Act as well as the new EPA guidance. It is not in response to any specific industry or practice and has nothing to do with hydraulic fracturing.

## Why aren't some chemicals such as arsenic and dioxin being updated?

EPA did not update either of these chemicals in its 2015 guidance; however, Floridians clearly remain protected from arsenic and dioxin, two chemicals that are currently regulated in Florida – at EPA's specified levels – under the Clean Water Act. DEP will continue to collect data and update Florida's surface water criteria, including human health criteria, when valid scientific information is available.

## What are the next steps in the process?

The proposed standards will go before the Florida Environmental Regulation Commission (ERC) for approval. Public participation is part of this hearing process. If adopted, the criteria will then go to EPA for final review and approval.