



Department of Environmental Protection

Charles D. Baker
Governor

Karyn E. Polito
Lieutenant Governor

Bethany A. Card
Secretary

Martin Suuberg
Commissioner

Status of the 2021 Amendments to the Massachusetts Surface Water Quality Standards

MassDEP certified and submitted amendments to the Massachusetts Surface Water Quality Standards (SWQS), 314 CMR 4.00, to the U.S. Environmental Protection Agency (EPA) on January 7, 2022, pursuant to Section 303(c)(3) of the Clean Water Act (CWA) and 40 Code of Federal Regulation (CFR) Part 131. The amended SWQS regulation is effective for State enforcement purposes. EPA approval is required for federal enforcement; previous EPA-approved amendments remain federally enforceable until further amendments are approved.

EPA approved the majority of the SWQS amendments on March 31, 2022, disapproved a few amendments, and deferred action on others. Specifically, EPA disapproved the removal of the Public Water Supply (PWS) qualifier from the following six waterbodies (and their tributaries): Unquomok Brook Reservoir and Lithia Springs Reservoir in Table 7, Thunder Brook and Broad Brook in Table 12, Lake Ellis and Phillipston Reservoir in Table 16, and Cold Brook Reservoir in Table 27. As a result, the human health drinking water plus organism criteria continue to apply to these waters, in addition to other applicable criteria in the SWQS.

EPA took no action on 314 CMR 4.05(3)(c) and 4.05(4)(c) revisions to secondary contact bacteria criteria (recreational criteria) for Class C and Class SC waters, respectively. For these waters only, secondary contact bacteria criteria promulgated in 1997 remain federally enforceable.

In addition, EPA action is pending on the following amendments to 314 CMR 4.06:

1. Combined Sewer Overflow (CSO) qualifier addition to the Spicket River (Table 15);
2. Cold Water qualifier removal from Shad Factory Pond (Table 17);
3. Class A to Class B change for the Lower Sackett (Table 11) and Ashby (Table 18) reservoirs;
4. Site-specific criteria for total nitrogen (Table 28);
5. Revised water quality criteria for aluminum, cadmium, copper, ammonia, acrolein, carbaryl, tributyltin, and diazinon (Table 29a);
6. Revised cadmium values in Appendix C (Table 29a): *Calculation of Hardness-Dependent Fresh Water Dissolved Metals Criteria Values*;
7. Appendix D (Table 29a): *Model-Based Software for Calculating Fresh Water Aluminum and Copper Criteria Values*; and
8. Adjustment of copper coastal and marine criteria in Appendix E (Table 29a): *Adjustment of Criteria Using the WER (Specified Metals) or the Streamlined WER (Copper Only)*.