

Consent Decree Status Report

July 15, 2009

NRDC v. Johnson,

U.S. District Court, Central District of California

No. CV06-4843 PSG (JTLx)

Pursuant to Paragraph 9(b) of the Consent Decree in the above-referenced matter, the United States Environmental Protection Agency ("EPA" or "the Agency") provides this status report. It includes a description of the actions taken by EPA with respect to its obligations under the Consent Decree during the preceding six-months (January 1, 2009-June 30, 2009) and a description of the actions EPA intends to take with respect to its obligations under the Consent Decree during the following six months (July 1, 2009 – December 31, 2009).

Consent Decree (CD) ¶ 5(a): EPA shall complete an epidemiological study in marine waters impacted by urban runoff in a temperate region.

Actions Taken By EPA January 1, 2009 to June 30, 2009

EPA completed screening and monitoring of a subset of sites to identify prioritized locations for the epidemiological study and selected Surfside Beach, South Carolina. EPA contacted and visited state and local officials regarding the study. EPA initiated site monitoring and began conducting the epidemiological field study on June 6, 2009.

Actions Planned By EPA from July 1, 2009 to December 31, 2009

EPA will conduct the epidemiological field study which includes water quality sampling and enrolling and interviewing participants. EPA will also analyze water quality samples.

CD ¶ 5(b): EPA shall complete an epidemiological study in a tropical region.

Actions Taken By EPA January 1, 2009 to June 30, 2009

EPA completed screening and monitoring to identify a location for the tropical epidemiological study and selected Boquerón Beach in Puerto Rico. EPA contacted and visited state and local officials regarding the study. EPA initiated site monitoring and began conducting the epidemiological field study on May 16, 2009.

Actions Planned By EPA from July 1, 2009 to December 31, 2009

EPA will conduct the epidemiological field study which includes water quality sampling and enrolling and interviewing participants. EPA will also analyze water quality samples.

CD ¶ 6: No later than October 15, 2012, EPA shall sign for publication in the Federal Register a notice announcing the availability of new or revised water quality criteria for pathogens and pathogen indicators pursuant to 33 U.S.C. 1314(a)(9)(A).

Actions Taken By EPA January 1, 2009 to June 30, 2009

EPA did not take any actions during this time period with respect to this provision.

Actions Planned By EPA from July 1, 2009 to December 31, 2009

EPA will not take any actions during this time period with respect to this provision.

CD ¶ 9(a): When it completes a study described in Paragraph 5 of this Decree, EPA will provide written notice to the other Parties, including a summary of the study and findings, and a statement that the study has been completed.

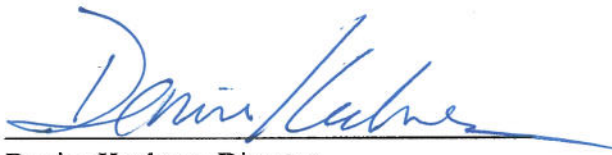
Actions Taken by EPA January 1, 2009 to June 30, 2009

EPA did not complete either study described in Paragraph 5 of the Consent Decree, and therefore EPA did not provide any written notice to the parties pursuant to paragraph 9(a) of the Consent Decree.

Actions Planned By EPA from July 1, 2009 to December 31, 2009

EPA does not plan to complete either study in Paragraph 5 of the Consent Decree during this time period.

The undersigned, Denise Keehner and Charles I. Noss are, respectively, the Director, Standards and Health Protection Division, Office of Science and Technology and National Program Director for Water Quality, Office of Research and Development. The Office of Science and Technology in EPA's Office of Water and the Office of Research and Development have primary responsibility for discharging EPA's duties under the Consent Decree. This report reflects our best current information concerning the actions taken by EPA with respect to its obligations under the Consent Decree during the preceding six months (January 1, 2009-June 30, 2009) and a description of the actions EPA intends to take with respect to its obligations under the Consent Decree during the following six months (July 1, 2009 – December 31, 2009).



Denise Keehner, Director
Standards and Health Protection Division
Office of Science and Technology
Office of Water
U.S. Environmental Protection Agency

7/14/09

Date



Charles I. Noss, Sc.D.
National Program Director for Water Quality
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7/13/09

Date