

**Consent Decree Status Report**  
**January 15, 2011**  
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 (July 1, 2010 - December 31, 2010) and a description of the actions EPA intends to take with respect to its obligations under the Consent Decree during the following six months (January 1, 2011 – June 30, 2011).

**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 July 1, 2010 to December 31, 2010**

EPA finished QA/QC and quantitative evaluations of epidemiological data from the urban runoff study (i.e. water quality data and interview responses). EPA prepared a final report, which was reviewed by an external peer review panel. EPA finished a final report which responded to peer review comments, and posted it to the agency web site.

**Actions Planned By EPA from January 1, 2011 to June 30, 2011**

EPA has fulfilled its obligation with respect to this provision and therefore, no further action will be taken.

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

**Actions Taken By EPA July 1, 2010 to December 31, 2010**

EPA finished QA/QC and quantitative evaluations of epidemiological data from the tropical study (i.e. water quality data and interview responses). EPA prepared a final report, which was reviewed by an external peer review panel. EPA finished a final report which responded to peer review comments, and posted it to the agency web site.

**Actions Planned By EPA from January 1, 2011 to June 30, 2011**

EPA has fulfilled its obligation with respect to this provision and therefore, no further action will be taken.

**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 July 1, 2010 to December 31, 2010**

EPA’s intra-agency workgroup discussed various approaches for criteria development.

**Actions Planned By EPA from January 1, 2011 to June 30, 2011**

EPA's intra-agency workgroup plans to continue discussions of approaches for criteria development and to begin review and evaluation of the results of the studies EPA conducted under the Critical Path Science Plan, the Settlement Agreement and the Consent Decree, as well as other relevant non-EPA studies.

**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.

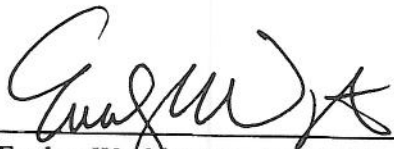
**Actions Taken by EPA July 1, 2010 to December 31, 2010**

EPA has provided written notification to the parties that both studies in paragraph 5 are complete. The notification includes a summary of the studies and findings.

**Actions Planned By EPA from January 1, 2011 to June 30, 2011**

EPA has fulfilled its obligation with respect to this provision and therefore, no further action will be taken.

The undersigned, Evelyn Washington and Charles I. Noss are, respectively, the Acting 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 (July 1, 2010-December 31, 2010) and a description of the actions EPA intends to take with respect to its obligations under the Consent Decree during the following six months (January 1, 2011 - June 30, 2011).



Evelyn Washington, Acting Director  
Standards and Health Protection Division  
Office of Science and Technology  
Office of Water  
U.S. Environmental Protection Agency

13 Jan 2011

Date



Charles I. Noss, Sc.D.  
National Program Director for Water Quality  
Office of Research and Development  
U.S. Environmental Protection Agency

1-13-11

Date