

**CHAPTER 62-303
IDENTIFICATION OF IMPAIRED SURFACE WATERS**

62-303.310 Evaluation of Aquatic Life Use Support.

A Class I, I-Treated, II, III, or III-Limited water shall be placed on the Planning List for assessment of aquatic life use support (propagation and maintenance of a healthy, well-balanced population of fish and wildlife) if, based on sufficient quality and quantity of data, the waterbody:

- (1) through (3) No change.

Rulemaking Authority 403.061, 403.067 FS. Law Implemented 403.062, 403.067 FS. History--New 6-10-02, Amended 12-11-06, 7-2-12, 2-17-16,_____.

62-303.360 Primary Contact and Recreation Use Support.

(1) A Class I, I-Treated, II, III or III-Limited (if primary contact and recreational use is not limited) water shall be placed on the Planning List for evaluating primary contact and recreation use support based on bacteriological data if:

- (a) through (b) No change.

(2) A Class I, I-Treated, II, III, or III-Limited water shall be placed on the Planning List for evaluating primary contact and recreation use support based on bathing area closures, advisories, or warnings issued by a local health department or county government if:

- (a) through (c) No change.
(3) through (4) No change.

Rulemaking Authority 403.061, 403.067 FS. Law Implemented 403.062, 403.067 FS. History--New 6-10-02, Amended 12-11-06, 9-4-07, 8-1-13, 2-17-16,_____.

62-303.370 Fish and Shellfish Consumption Use Support.

(1) A Class I, I-Treated, II, III or III-Limited water shall be placed on the Planning List for fish consumption if there is either a limited or no consumption fish consumption advisory, issued by the DOH, or other authorized governmental entity, in effect for the water segment.

- (2) through (3) No change.

Rulemaking Authority 403.061, 403.067 FS. Law Implemented 403.062, 403.067 FS. History--New 6-10-02, Amended 12-11-06, 9-4-07, 8-1-13, 2-17-16,_____.

62-303.380 Drinking Water Use Support and Protection of Human Health.

(1) A Class I or Class I-Treated water shall be placed on the Planning List for potential impairment of drinking water use support and the protection of human health based on bacteriological data if:

(a) There is a sufficient number of *E. coli* samples from the water segment that do not meet the applicable Class I or Class I-Treated water quality criteria for bacteriological quality expressed as a Ten Percent Threshold Value (TPTV) based on the methodology described in Rule 62-303.320, F.A.C. Data must meet the requirements of subsections and paragraphs 62-303.320(2), (3), (4)(e)-(g), (8), and (9), F.A.C. Samples collected on different days will be assessed as individual samples and samples collected on the same day shall be averaged; or

- (b) No change.

(2) A Class I or Class I-Treated water shall be placed on the Planning List for potential impairment of drinking water use support and the protection of human health based on information provided by public water systems if a public water system demonstrates to the Department that either:

(a) ~~Annual treatment~~ ~~Treatment~~ costs to meet applicable drinking water ~~standards~~ ~~criteria~~ have increased by at least 25% to treat contaminants, ~~that exceed Class I criteria or to treat~~ blue-green algae, or other nuisance algae in the source water; or

- (b) No change.

(c) When determining increased treatment costs under paragraphs (2)(a) or (2)(b) above, costs due solely to new, more stringent drinking water requirements, inflation, or increases in costs of materials shall not be included.

(3) A water shall be placed on the Planning List for potential impairment of drinking water use support or the protection of assessment of the threat to human health if:

(a) through (b) No change.

Rulemaking Authority 403.061, 403.067 FS. Law Implemented 403.062, 403.067 FS. History--New 6-10-02, Amended 12-11-06, 9-4-07, 8-1-13, 2-17-16,_____.

62-303.390 The Study List.

(1) No change.

(2) A Class I, I-Treated, II, III or ~~Class~~ III-Limited water shall be placed on the Study List if:

(a) through (h) No change.

(3) through (10) No change.

Rulemaking Authority 403.061, 403.067 FS. Law Implemented 403.062, 403.067 FS. History--New 7-2-12, Amended 2-17-16,_____.

62-303.480 Drinking Water Use Support and Protection of Human Health.

If the water segment was listed on the Planning List due to exceedances of a human health-based water quality criterion, the Department shall re-evaluate the data using the methodology in subsections 62-303.380(1) and (3), F.A.C., and limit the analysis to data collected within 7.5 years of the time the water segment is proposed for listing on the Verified List. Data older than 7.5 years shall be used if it is demonstrated to be representative of current conditions. Any determinations to use older data shall be documented by the Department, and the documentation shall provide the basis for the decision that the data are representative of current conditions. For this analysis, the Department shall exclude any data meeting the requirements of subsection 62-303.420(5), F.A.C. The following water segments shall be listed on the Verified List:

(1) For human health-based criteria expressed as maximums, water segments that meet the requirements in subsection 62-303.420(~~6~~) (~~7~~), F.A.C., or

(2) For human health-based criteria expressed as annual averages, water segments that have an annual average that exceeds the applicable criterion. To calculate an annual average for the Verified List assessment, there shall be at least three samples per year, with samples from at least three different quarters of the same year.

(3) No change.

Rulemaking Authority 403.061, 403.067 FS. Law Implemented 403.062, 403.067 FS. History--New 6-10-02, Amended 12-11-06, 9-4-07, 8-1-13, 2-17-16,_____.

62-303.500 Prioritization for TMDL Development.

(1) No change.

(2) The following waters shall be designated high priority:

(a) Water segments where the impairment poses a threat to potable water supplies, treated potable water supplies, or to human health.

(b) No change.

(3) The following waters shall be designated low priority:

(a) Man-made canals, urban drainage ditches, and other artificial water segments unless the impairment poses a threat to potable water supplies, treated potable water supplies, or to human health.

(b) No change.

(4) No change.

Rulemaking Authority 403.061, 403.067 FS. Law Implemented 403.062, 403.067 FS. History--New 6-10-02, Amended 12-11-06, 8-1-13, 2-17-16,_____.

62-303.720 Delisting Procedure.

(1) No change.

(2) Waterbody segments shall be removed from the State's Verified List only after adoption of a TMDL, a Department determination that pollution control programs provide reasonable assurance that water quality standards will be attained pursuant to Rule 62-303.600 F.A.C., or upon a demonstration that the waterbody meets the waterbody quality standard that was previously established as not being met.

(a) through (f) No change.

(g) For waters listed based on impacts to potable water supplies or treated potable water supplies pursuant to paragraph 62-303.380(1)(b), F.A.C., the water shall be delisted when the causes resulting in higher treatment costs have been ameliorated.

(h) through (q) No change.

(3) No change.

Rulemaking Authority 403.061, 403.067 FS. Law Implemented 403.062, 403.067 FS. History--New 6-10-02, Amended 12-11-06, 9-4-07, 7-2-12, 8-1-13, 2-17-16, ____.