North American Metals Council
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April 18, 2016

Via Electronic Submission

Office of Water
U.S. Environmental Protection Agency
Mailcode: 4304T
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Re: EPA Draft Technical Support Document: Recommended Estimates for Missing Water Quality Parameters for Application in EPA's Biotic Ligand Model; EPA-HQ-OW-2015-0469; Notice of Availability, 81 Fed. Reg. 7784 (Feb. 16, 2016)

Dear Sir or Madam:

The North American Metals Council (NAMC)[1] is pleased to provide this submission in support of the comments submitted by the Aluminum REACH Consortium, Cobalt Development Institute (CDI), the Copper Development Association (CDA), the International Aluminum Institute (IAI), the International Copper Association (ICA), the International Lead Association (ILA), the International Zinc Association (IZA), and the Nickel Producers Environmental Research Association (NiPERA) on the U.S. Environmental Protection Agency's (EPA) Draft Technical Support Document: Recommended Estimates for Missing Water Quality Parameters for Application in EPA's Biotic Ligand Model (Technical Support Document).

Like the Aluminum REACH Consortium, CDI, CDA, IAI, ICA, ILA, IZA, and NiPERA, NAMC appreciates EPA's efforts in issuing the Technical Support Document. We anticipate that this document will help facilitate the further adoption, within other federal and state regulatory systems, of Biotic Ligand Models (BLMs), which represents the best scientific approach for metals risk assessment.

[1] NAMC is an unincorporated, not-for-profit group formed to provide a collective voice for North American metals producers and users (*i.e.*, the North American "metals industry") on science- and policy-based issues that affect metals in a generic way. NAMC members include trade associations as well as individual companies.

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NAMC shares the concerns raised in the Aluminum REACH Consortium/CDI/CDA/IAI/ICA/ILA/IZA/NiPERA comments regarding the use of default values. We agree with the suggestion that EPA should refine the Technical Support Document to clarify that relying on all of the recommended default values to derive BLM-based criteria is not an acceptable approach. Instead, the Technical Support Document should clearly state that: (1) default values should be used only to fill data gaps, and should not be used when site-specific data are available; and (2) BLM-based criteria derived using any of the default parameters will be estimates of the criteria which could necessitate an evaluation of potential decision-making error rates.

NAMC also agrees with the comment that the Technical Support Document should emphasize the decision-making process regarding the derivation of default parameters, rather than prescribing specific values that may soon be out of date, or are inapplicable for certain jurisdictions not covered by the Technical Support Document. In addition, we support the recommendation that EPA be as transparent as possible regarding the underlying data that it used to set the default parameters and the criteria that it used to screen for data quality and to aggregate data across different types of measurements.

Finally, NAMC fully supports the recommendation detailed in the Aluminum REACH Consortium/CDI/CDA/IAI/ICA/ILA/IZA/NiPERA comments regarding the need to acknowledge the variations in the degree of impact that different water quality parameters have on different metals, and to explain how those variations can be reflected in the resulting BLM-based criteria.

Thank you for the opportunity to comment.

Sincerely,

Kathleen M. Roberts
Executive Director, NAMC