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EPA Reverses Trump-era State Water Quality Rollbacks

A victory for Washington's water quality standards and a return to upholding science-based standards to protect public health, but more is needed

SEATTLE — Clean water advocates heralded the U.S. Environmental Protection Agency's (EPA) final rule, which reverses the Trump administration's gutting of Washington state's clean water protections. The EPA announced it would return to state water quality standards developed by the agency in 2016, intended to protect people from toxic pollution. A coalition of conservation and commercial fishing organizations, in cooperation with regional Tribes who have been leading this fight for stronger protections, applaud the EPA's return to science-based decision making, but warned that more is needed to support public health.

"This announcement is a win for everyone that relies on locally-caught fish and shellfish," said **Lauren Goldberg, executive director for Columbia Riverkeeper**. "People rely on the Columbia River and water bodies across Washington state as a healthy source of fish, but current laws allow polluters to get away with releasing unacceptable levels of toxic pollution."

The EPA's final rule will undo an industry-led attack on Washington's water quality standards implemented under the Trump administration, which allowed 25 times more PCBs (polychlorinated biphenyls) to be in our shared waterways than will now be allowed. The well-documented, serious human health risks of PCBs impact food safety for communities that rely on fish and

shellfish for subsistence, ceremonial and commercial fisheries. In June 2020, affected Tribes, environmental groups and fishing organizations [sued the EPA](#) for dismantling laws that protect Washington's clean water and public health.

"This is an important step toward protecting the public's right to safe and healthy seafood, which our industry works hard to deliver to America's tables," commented **Glen Spain, NW Regional Director of the Pacific Coast Federation of Fishermen's Associations (PCFFA)**, the West Coast's largest commercial fishing family trade association and a co-Plaintiff in the lawsuit. "Our industry fought back against the prior administration's efforts to protect polluters at the expense of consumers and we welcome the EPA's decision to finalize this rule. There is no 'right to pollute' the public's food supply."

The EPA's decision reinstates protective water quality standards and will lead to less toxic pollution for Washington's water bodies, fish, and orcas.

"The Trump administration's politically-motivated decision to gut Washington's water quality standards ignored the science and flouted the law. The EPA's decision to reinstate the more protective 2016 rule is a move in the right direction, but the EPA can still do more to ensure critical human health protections and the wellbeing of all Washington communities," said **Marisa Ordonia, attorney for Earthjustice**, which is representing a coalition of organizations.

"This is welcome news for the Spokane River which is highly polluted with PCBs and PBDEs," said **Jerry White, Executive Director of the Spokane Riverkeeper**. "Returning to science-based standards moves us closer to eliminating water pollution, and ensures that communities will one day be safe in eating fish from their Spokane River."

BACKGROUND:

In June 2020, the Makah Tribe, Columbia Riverkeeper, Puget Soundkeeper, RE Sources, Spokane Riverkeeper, Pacific Coast Federation of Fishermen's Associations, and the Institute for Fisheries Resources, represented by Earthjustice, sued the Trump administration's EPA for issuing a final rule

withdrawing Washington state's 2016 human health criteria and imposing significantly less protective water quality standards.

EPA's 2019 decision was fueled by an industry petition designed to take advantage of the agency's political climate to secure less protective standards than standards approved by EPA in 2016. Even Washington state, which previously tried to defend its own, less stringent standards, opposed EPA's decision to weaken the 2016 standards.

Under a July 6, 2021, stipulation, the court approved the parties' collective request to put the 2020 lawsuit on hold during EPA's voluntary reconsideration and rulemaking process. EPA's final rule concludes that process.

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