

# Frequently Asked Questions

[What is the 305\(b\) list?](#)

[What is a 303\(d\) list?](#)

[What is the difference between pollution and a pollutant?](#)

[Once a waterbody is put on the 303\(d\) list, how long does it stay there?](#)

[What is an impaired waterbody?](#)

## **What is the 305(b) list?**

The Federal Clean Water Act (as last reauthorized by the Water Quality Act of 1987) requires each state to submit a report to EPA every two years describing the status of its surface and ground waters. This document is commonly referred to as the "305(b) Report", which includes an assessment of existing water quality in New Hampshire, and an overview of past and proposed water pollution abatement efforts.

## **What is a 303(d) list?**

Section 303(d) of the Federal Clean Water Act (CWA), and Title 40 part 130 of the Code of Federal Regulations (40 CFR part 130) requires each state to develop a list of waters that are not attaining water quality standards and are not expected to meet state water quality standards even after application of technology-based controls for point sources or other control requirements, such as best management practices (BMPs) for nonpoint sources of pollution. The 303(d) list is a subset of all of the impaired waters listed in the comprehensive 305(b) water quality report (see frequently asked question "What is the 305(b) list?"). Waterbodies listed in the 303(d) list that require a TMDL must be impaired by a pollutant (not pollution), have not had a TMDL done for them yet, and are not expected to meet water quality standards after application of technology-based controls for point sources or other control requirements, such as BMPs for nonpoint sources. Currently, states are required to submit their 303(d) lists to EPA every two years.

## **What is the difference between pollution and a pollutant?**

Pollution is defined as the man-made or man-induced alteration of the chemical, physical, biological, and radiological integrity of water. For example, a man-made physical alteration would be a dam.

Pollutants are defined as dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial, municipal, and agricultural waste discharged into water. An example of a pollutant would be phosphorous. In the context of a TMDL, a pollutant is identified and a maximum allowable pollutant load is determined, which in this case would be the maximum load of phosphorous the waterbody could receive and attain or maintain water quality standards.

**Once a waterbody is put on the 303(d) list, how long does it stay there?**

Once a waterbody has been placed on the 303(d) list, that waterbody and pollutant combination must remain on the list until water quality standards are attained or a TMDL is developed.

**What is an impaired waterbody?**

An impaired waterbody is one that does not attain water quality standards due to an individual pollutant, multiple pollutants, pollution, or an unknown cause of impairment. Water quality standards include designated uses, numeric criteria, narrative criteria and antidegradation requirements. As noted above, the 303(d) list is a subset of all of the impaired waters listed in the comprehensive 305(b) water quality report.