



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029
9/27/2007

Dr. Richard Eskin, Director
Technical and Regulatory Services Administration
Maryland Department of the Environment
1800 Washington Boulevard, Suite 450
Baltimore, MD 21230-1718

Dear Dr. Eskin:

The U.S. Environmental Protection Agency (EPA), Region III, is pleased to approve the *Total Maximum Daily Loads of Fecal Bacteria for the Non-Tidal Piscataway Creek Basin in Prince George's County, Maryland*. The TMDL Report was submitted by the Maryland Department of the Environment's (MDE) letter dated May 19, 2006, to EPA for review and approval. The TMDL was developed and submitted in accordance with sections 303(d)(1)(c) and (2) of the Clean Water Act to address impairments of water quality as identified in Maryland's Section 303(d) list of impaired waters. The MDE identified the Piscataway Creek Basin as impaired by fecal bacteria.

In accordance with Federal regulations at 40 CFR §130.7, a TMDL must comply with the following requirements: (1) be designed to attain and maintain the applicable water quality standards; (2) include a total allowable loading and as appropriate, wasteload allocations (WLAs) for point sources and load allocations (LAs) for nonpoint sources; (3) consider the impacts of background pollutant contributions; (4) take critical stream conditions into account (the conditions when water quality is most likely to be violated); (5) consider seasonal variations; (6) include a margin of safety (which accounts for uncertainties in the relationship between pollutant loads and instream water quality); and (7) be subject to public participation. The non-tidal fecal bacteria TMDLs for the Piscataway Creek Watershed satisfied each of these requirements. In addition, the non-tidal fecal bacteria TMDLs considered reasonable assurance that the allocations assigned to the nonpoint sources can be reasonably met. A copy of EPA's Decision Rationale for approval of these TMDLs is included with this letter.

As you know, all new or revised National Pollutant Discharge Elimination System permits must be consistent with the TMDL WLA pursuant to 40 CFR §122.44 (d)(1)(vii)(B). Please submit all such permits to EPA for review as per EPA's letter dated October 1, 1998.

If you have any questions or comments concerning this letter, please do not hesitate to contact Mr. Thomas Henry, TMDL Program Manager, at (215) 814-5752 or Mr. Kuo-Liang Lai at (215) 814-5473.

Sincerely,

Signed

Jon M. Capacasa, Director
Water Protection Division

Enclosure

cc: Nauth Panday, MDE-TARSA
Melissa Chatham, MDE-TARSA

