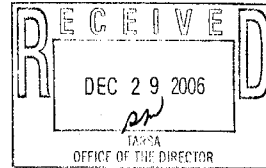




UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

DEC 20 2006

Richard A. Eskin, Ph.D., Director
Technical & Regulatory Services Administration
Maryland Department of the Environment
1800 Washington Boulevard, Suite 540
Baltimore, Maryland 21230-1718



Dear Dr. Eskin:

The Environmental Protection Agency (EPA) has conducted a complete review of Maryland's 2006 Section 303(d) List and supporting documentation and information. Based on this review, EPA has determined that Maryland's list of water quality limited segments still requiring total maximum daily loads meets the requirements of Section 303(d) of the Clean Water Act and EPA's implementing regulations. Therefore, by this order, EPA hereby approves Maryland's 2006 Section 303(d) List. The statutory and regulatory requirements, and EPA's review of Maryland's compliance with each requirement, are described in the enclosure.

As you are aware, EPA will publish an addendum to the 2003 Ambient Water Quality Criteria for Dissolved Oxygen, Water Clarity and Chlorophyll *a* for the Chesapeake Bay and its Tidal Tributaries, along with refined implementation procedures. Among other issues, EPA expects this addendum to further clarify the assessment methodology and determination of the Water Quality Standards attainment/non-attainment for the Shallow Water Use within the Chesapeake Bay, an issue that emerged during this 2006 Integrated Reporting assessment cycle. As a series of follow-up actions, EPA's expectations are as follows:

1. EPA will publish the revised Bay criteria addendum and implementation procedures guidance in late 2006 or early 2007,
2. Chesapeake Bay jurisdictions will revise their Water Quality Standards and implementation procedures in response to the EPA update and to ensure consistency with the Bay criteria among the Bay jurisdictions, and
3. The assessment process for the 2008 Integrated Reporting cycle will be evaluated using the updated Bay criteria document, implementation procedures and the revised Water Quality Standards promulgated by the Bay jurisdictions.

EPA is pleased to approve Maryland's 2006 Section 303(d) list and we commend you and your staff for the thorough work and exemplary effort in establishing the list and in responding to the comments received. Please feel free to contact Mr. Robert Koroncai at 215-814-5730 or Koroncai.Robert@epa.gov if you have any questions or concerns regarding this decision.

Sincerely,



Jon M. Capacasa, Director
Water Protection Division

Enclosure

