



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

NOV 05 2018

Ms. Dinorah Dalmasy, Program Manager
Integrated Water and Planning Program
Water and Science Administration
Maryland Department of the Environment
1800 Washington Blvd., Suite 540
Baltimore, Maryland 21230-1718

Dear Ms. Dalmasy:

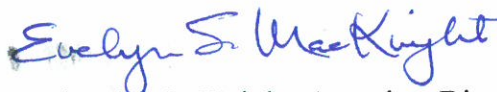
Thank you for notifying the United States Environmental Protection Agency Region III (EPA) on October 11, 2018 that the Maryland Department of the Environment (MDE) has shifted the individual wasteload allocations in the Technical Memorandum for the nutrient total maximum daily load (TMDL) for the Baltimore Harbor (Patapsco River Mesohaline) Watershed (TMDL originally approved by EPA on December 17, 2007). MDE took this action in connection with a permit request from United States Gypsum Company to MDE. Consistent with the terms and reservation in the original Technical Memorandum, MDE shifted individual nitrogen and phosphorus wasteload allocations among facilities without changing the sum of wasteload allocations. MDE also notified EPA of a shift in individual wasteload allocations previously made available for public notice and comment in connection with a 2015 permit request to MDE for an additional facility (Envirotech Consultants, Inc.). The reallocation of the individual wasteload allocations do not affect the sum of wasteload allocations and the nonpoint source load allocations (LAs), and the overall TMDL remains unchanged.

The shifts in individual wasteload allocations were made available for public comment from April 5, 2018 to June 6, 2018 and MDE has responded to comments submitted by EPA, Maryland Department of Transportation, and Environmental Action Center and Blue Water Baltimore. The individual wasteload allocations are consistent with EPA's regulations at 40 C.F.R. Part 130. EPA will update its records to reflect the shifted wasteload allocations, and EPA recommends that MDE likewise update its Continuous Planning Process (CPP). Please note that the newly shifted wasteload allocations should be considered the "approved" wasteload allocations for the sources in the TMDL for purposes of 40 C.F.R. § 122.44(d)(1)(vii)(B). Please note that this communication is limited to the shifts among individual wasteload allocations in the technical memorandum and is not part of the process described at 33 U.S.C. §§ 1342(d) & (e).



If you have any questions or comments concerning this letter, please do not hesitate to contact me. Additionally, your staff may contact Jillian Adair at adair.jillian@epa.gov or 215-814-5713.

Sincerely,



Evelyn S. MacKnight, Associate Director
Water Protection Division

cc: Melissa Chatham, MDE-WSA