

December, xx, 2017

DRAFT – December 15, 2017

Mr. Christopher M. Crane
President and Chief Executive Officer
Exelon Corporation

Dear Mr. Crane,

On behalf of the Chesapeake Bay Program Partnership's Principals' Staff Committee (PSC), which includes the seven Chesapeake Bay watershed jurisdictions of New York, Pennsylvania, Delaware, Maryland, West Virginia, District of Columbia, and Virginia, the Chesapeake Bay Commission, and the U.S. Environmental Protection Agency, I am writing to request a meeting with you and your staff to discuss the current state of the Conowingo Dam infill in the context of the mid point TMDL assessment and the need for new load reduction targets and implementation plans. Representatives of the seven Bay watershed jurisdictions are responsible for ensuring that point and non point sources of nutrients and sediment to the Bay achieve the nutrient and sediment load reductions necessary to protect and restore the Bay. Accordingly, the PSC would like to further discuss Exelon's role in addressing the increased pollutant loading and its impact on water quality impairments that has occurred as a result of sediment trapping capacity not being maintained in Exelon's Conowingo Reservoir.

The PSC has recently made a series of key policy decisions regarding responsibility for the additional loads (primarily phosphorus), the method to assign those loads, and the necessary timeframe to address them. [Placeholder: Add sentence that Include PSC December 19 Conowingo policy decision here]

As a result of these decisions, [List affect jurisdictions here] will need to increase their level of effort through the implementation of their Phase III WIPs in order to address the loads resulting from the condition of the Conowingo Reservoir. The PSC recognizes the important contributions that Exelon has made to help improve our understanding of the changes in the Conowingo reservoir's trapping capacity by funding two studies that are being used to evaluate current water quality conditions. It is the PSC's expectation that, as owner and operator of the Conowingo Dam, Exelon will also share in the responsibility for achieving the additional phosphorus load reductions that are now necessary due to the current "in filled" condition of the Conowingo Reservoir. The PSC encourages Exelon to work with [list affected jurisdictions here] to determine what type of role you will assume and the specific contribution you will make in order to protect downstream water quality, habitat, and living resources. Your role and contribution may vary by jurisdiction.

The PSC would like to discuss this further with you and your staff, and we will be in touch in early 2018 to schedule a meeting. Please contact Lee Currey, Director of Maryland Department of the Environment's Water & Science Administration, (410) 537-3567 or me, with any questions in the meantime.

Sincerely,

Ben Grumbles

Chair, CBP Principals' Staff Committee
Secretary of Maryland Department of the Environment

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