



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029  
1/18/2005

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

Dear Dr. Eskin:

The U.S. Environmental Protection Agency (EPA) Region III has reviewed the Draft Final report entitled, "Water Quality Analysis of Heavy Metals for the Lower North Branch Patapsco River in Baltimore, Howard and Anne Arundel Counties and Baltimore City, Maryland," submitted by the Maryland Department of the Environment (MDE) for final Agency review on September 29, 2004.

EPA concurs with MDE's determination that the recent data show that a heavy metals total maximum daily load (TMDL) is not necessary for Lower North Branch Patapsco River. This segment (basin code 02-13-09-06) was first listed by Maryland on its 1996 Section 303(d) list of water quality-limited segments as impaired by heavy metals, nutrients, and suspended sediments. Additional listings in 2002 identified fecal coliform and impacts to biological communities as stream impairments. The water quality analysis addresses only the heavy metals impairment and the other impairments are to be addressed at a future date.

EPA also agrees with Maryland's determination that the metals data for the Herbert Run sub-basin (basin code 02-13-09-06-10-12) do not support removal of this 12-digit sub-basin from the Section 303(d) list, based on *both the lead and copper data*. Thus, Herbert Run should remain on the Section 303(d) list for *both lead and copper* unless and until additional data for these metals support the removal of this segment from the List, or until TMDLs are developed.

EPA recognizes that Maryland will continue to monitor the Lower North Branch Patapsco River through its water quality sampling, fish tissue sampling, and stream survey (MBSS) programs, among other efforts. If future evidence suggests that metals from this watershed are contributing to water quality problems, then action will have to be taken.



If you should have any questions regarding this letter, please contact Ms. Susan Sciarratta at 215-814-5733.

Sincerely,

*Signed*

Dominique Lueckenhoff,  
Associate Director  
Water Protection Division  
Office of Watersheds

cc: Melissa Chatham, MDE-TARSA