



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
Four Penn Center  
1600 John F Kennedy Blvd  
Philadelphia, Pennsylvania 19103-2852**

August 15, 2022

Ms. Dinorah Dalmasy, Program Manager  
Watershed Protection, Restoration, 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 July 27, 2022 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. The total nitrogen and total phosphorus TMDLs were approved by EPA on December 17, 2007. 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. The shifting of the individual wasteload allocations among sources does not affect the sum of wasteload allocations and the nonpoint source load allocations (LAs), and the overall TMDL remains unchanged.

In 2015 and 2018, MDE shifted the individual wasteload allocations in the Technical Memorandum and notified EPA. This most recent action was taken in connection with two permit requests from Yara North America, Inc. and Tradepoint Atlantic – Sparrows Point. The shifts in individual wasteload allocations were made available for public comment from June 9, 2022 to July 11, 2022 and MDE received no comments. 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).

Although the individual wasteload allocations have been shifted, EPA's underlying rationale for approving the total nitrogen and total phosphorus TMDLs as set at a level necessary to implement applicable water quality standards is not affected. EPA will maintain this notification as record of the shifted wasteload allocations. The shifted wasteload allocations should be considered the available TMDL wasteload allocations pursuant to 40 C.F.R. § 122.44(d)(1)(vii)(B). 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](mailto:adair.jillian@epa.gov) or 215-814-5713.

Sincerely,

Gregory Voigt, Chief  
Standards and TMDLs Section

