



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029  
5/15/2007

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

Dear Dr. Eskin:

The U.S. Environmental Protection Agency (EPA), Region III, has reviewed the report, "Water Quality Analysis of Fecal Coliform for the Restricted Shellfish Harvesting Area in the Mainstem Patuxent River Lower Basin in Prince George's, Charles and Calvert Counties, Maryland", which was submitted by the Maryland Department of the Environment (MDE) for final Agency review on September 13, 2006.

The EPA is pleased to approve the Water Quality Analysis for fecal coliform for the restricted shellfish harvesting area in the Mainstem Patuxent River Lower Basin in Prince George's, Charles and Calvert Counties, Maryland. The Lower Patuxent River Basin (02-13-11-01) was first identified on Maryland's 1996 Section 303(d) list as impaired by nutrients (1996), sediments (1996), bacteria (1996/1998/2004), toxics – chlorpyrifos (water) (2002), and the non-tidal portion of the basin for impacts to biological communities (2002/2004). In addition, an impoundment within the watershed, Lake Lariat, was listed as impaired by metals-methylmercury (2002). EPA agrees that recent monitoring data submitted by Maryland indicate that the applicable water quality criteria for fecal coliform are being met in the restricted shellfish harvesting area in the mainstem of the Patuxent River Lower Basin. As a result, a TMDL for fecal coliform is not necessary to achieve water quality standards in this restricted shellfish harvesting area. Barring the receipt of any contradictory data, Maryland's report will be used to support the bacteria listing change for the restricted shellfish harvesting area in the mainstem of the Patuxent River Lower Basin from Category 5 ("waterbodies impaired by one or more pollutants and requiring a TMDL") to Category 2 ("surface waters that are meeting some standards and have insufficient information to determine attainment of other standards") when MDE proposes revisions of the Section 303(d) list of impaired waters for public review in the future. TMDLs for fecal coliform have been completed for other tidal shellfish harvesting areas in the basin in 2004 and 2005. A TMDL for the metals listing was completed in 2002 for Lake Lariat. The listings for other impairments will be addressed separately at a future date.



EPA's approval of the Lower Patuxent River mainstem WQA is based on EPA's understanding that MDE will complete a Bacterial Source Tracking (BST) study in this watershed. MDE will evaluate the BST data when it becomes available in order to verify the nonpoint source loading estimates contained in the WQA Report. If future evidence suggests that bacteria from the Lower Patuxent River Watershed are contributing to water-quality problems, then MDE will need to readdress the bacteria impairment.

If you have any questions or comments regarding these reports, please contact Mr. Thomas Henry, TMDL Program Manager, at (215) 814-5752.

Sincerely,

/S/

Jon M. Capacasa, Director  
Water Protection Division

cc: Melissa Chatham, MDE-TARSA  
Nauth Panday, MDE-TARSA

