



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029
9/26/2006

Mr. Kevin Donnelly, Director
Division of Water Resources
Delaware Department of Natural Resources
and Environmental Control
89 Kings Highway
Dover, DE 19901

Dear Mr. Donnelly:

The U.S. Environmental Protection Agency (EPA) Region III is amending the Total Maximum Daily Loads (TMDLs) for nutrients for the Christina River Basin in Pennsylvania, Delaware, and Maryland. These TMDLs were originally established in accordance with Section 303(d)(1)(c) and (2) of the Clean Water Act to address impairments of water quality, including nutrients and low dissolved oxygen, within the Christina River Basin. The nutrient TMDLs are amended to incorporate new monitoring information for the City of Wilmington's combined sewer overflow discharges, updated National Pollutant Discharge Elimination System information in Pennsylvania, to further explain the 2005 TMDL development, and to allow the public additional opportunity to comment on the TMDLs. The revisions also corrected mistakes and omissions in the original TMDLs.

In accordance with Federal regulations at 40 CFR § 130.7, a TMDL must comply with the following requirements: (1) be designed to attain and maintain the applicable water quality standards; (2) include a total allowable loading and, as appropriate, wasteload allocations (WLAs) for point sources and load allocations for nonpoint sources; (3) consider the impacts of background pollutant contributions; (4) take critical stream conditions into account (the conditions when water quality is most likely to be violated); (5) consider seasonal variations; (6) include a margin of safety (which accounts for uncertainties in the relationship between pollutant loads and instream water quality); (7) consider reasonable assurance that the TMDL can be met; and (8) be subject to public participation. The TMDLs for the Christina River Basin satisfy each of these requirements. Copies of the TMDL Report and Response to Comments documents are included with this letter.



As you know, all new or revised National Pollutant Discharge Elimination System permits must be consistent with the TMDL WLA pursuant to 40 CFR § 122.44 (d)(1)(vii)(B). Please submit all such permits to EPA for review as per EPA's letter dated October 1, 1998.

If you have any questions or comments concerning this letter, please do not hesitate to contact Mr. Thomas Henry at (215) 814-5752.

Sincerely,

Signed

Jon M. Capacasa, Director
Water Protection Division

Enclosures

cc: John Schneider, DNREC
Peder Hansen, DNREC

