



Mr. Lawrence Baier, Director  
Division of Watershed Management  
New Jersey Department of Environmental Protection  
P.O. Box 418  
401 East State Street  
Trenton, New Jersey 08625

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

Dear Mr. Baier and Mr. Donnelly:

The U.S. Environmental Protection Agency (EPA) Regions 2 and 3 are establishing a Total Maximum Daily Load (TMDL) for Zone 6 of the Delaware River. This TMDL is established in accordance with Section 303(d)(1)(c) and (2) of the Clean Water Act to address the impairment of water quality by PCBs as identified on Delaware's and New Jersey's 2004 Section 303(d) lists. This TMDL meets the requirements of the Federal regulations at 40 CFR §130.7.

As you know, the Delaware River Basin Commission (DRBC) took the lead in developing this TMDL in consultation with EPA and the states. EPA, DRBC and the States of Delaware and New Jersey agreed that EPA would establish this TMDL on an interstate water, as occurred with the Zones 2-5 TMDLs in December 2003.

Implementation of this TMDL rests with the states. As you know, all parties affected by implementation of PCB TMDLs have been actively working to improve the suite of PCB reduction measures. New or revised National Pollutant Discharge Elimination System permits must be consistent with the TMDL's wasteload allocations pursuant to 40 CFR §122.44 (d)(1)(vii)(B).

EPA will continue to work with the states and DRBC to reduce PCB loading to the Delaware River. If you have any questions or comments concerning this action, please do not hesitate to contact us or your staff may contact Mr. Peter Gold in Region 3 at (215) 814-5236 or Susan Schulz in Region 2 at (212) 637-3829.

Sincerely,

Signed 12/14/2006

Jon M. Capacasa, Director  
Water Protection Division (RIII)

Signed 12/11/2006

Walter Mugdan, Director  
Division of Environmental Planning and Protection (RII)

Enclosures

cc: (w/o enclosures) Richard Greene, DNREC  
Barbara Hirst, NJDEP

bcc: Thomas Henry, RIII  
Peter Gold, RIII  
Kevin Bricke, RII  
Mario Del Vicario, RII  
Felix Locicero, RII  
Susan Schulz, RII  
Jeffrey Gratz, RII  
Maureen Krudner, RII