

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

Mr. David E. Hess, Acting Secretary
Pennsylvania Department of Environmental Protection
Rachel Carson State Office Building
400 Market Street
Harrisburg, PA 17101

Re: Bear Creek Watershed Acid Mine Drainage
Total Maximum Daily Load (TMDL)

Dear Mr. Hess:

The U. S. Environmental Protection Agency (EPA) Region III is pleased to approve the Bear Creek Watershed Total Maximum Daily Load (TMDL), submitted to EPA by the Pennsylvania Department of Protection (PADEP) by letter dated March 5, 2001. The TMDL was established and submitted in accordance with Section 303(d)(1)(c) and (2) of the Clean Water Act. The TMDL was established to address impairment of water quality as identified in Pennsylvania's 1996 Section 303(d) list. Pennsylvania identifies the impairment for this water quality limited waterbody based on excessive metals. Bear Creek Watershed is located in Dauphin County, Pennsylvania.

In accordance with Federal regulations found in 40 CFR §130.7, a TMDL must: be designed to meet water quality standards; include, as appropriate, both wasteload allocations for point sources and load allocations for nonpoint sources; consider the impacts of background pollutant contributions; take critical stream conditions into account (the conditions when water quality is most likely to be violated); consider seasonal variations; include a margin of safety (which accounts for any uncertainties in the relationship between pollutant loads and instream water quality); and be subject to public participation. The enclosure to this letter describes how the Bear Creek Watershed TMDL satisfies each of these requirements.

Following the approval of the TMDL, PADEP shall incorporate it into the state's Water Quality Management Plan pursuant to 40 CFR §130.7(d)(2). As you know, any new or revised National Pollution Discharge Elimination System permits with applicable effluent limits must be consistent with the TMDL's wasteload allocation pursuant to 40 CFR §122.44(d)(1)(vii)(B)(2).

Any such permit should be submitted to EPA for review consistent with EPA's letter dated October 1, 1998. Please note that PADEP determined there are currently no permitted point source dischargers in the Bear Creek Watershed. If you have any questions or concerns, please call me or have your staff contact Mr. Thomas Henry, the TMDL Program Manager, at (215) 814-5752.

Sincerely,

Rebecca W. Hanmer, Director
Water Protection Division

Enclosure

cc: Mr. Lawrence Tropea, Jr., PADEP
Mr. Terry Fabian, PADEP
Mr. Fred Marrocco, PADEP
Mr. Edward Brezina, PADEP