



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

Ms. Cathy Curran Myers
Deputy Secretary for Water Management
Pennsylvania Department of Environmental Protection
Rachel Carson State Office Building
P.O. Box 2063
Harrisburg, PA 17105-2063

Dear Ms. Myers:

The U.S. Environmental Protection Agency (EPA) Region III is establishing Total Maximum Daily Loads (TMDLs) for nutrients and sediments for the Unnamed Tributary to Brush Run and the upper portions of the Brush Run main stem, in Allegheny and Washington Counties, Pennsylvania. These TMDLs were established in accordance with Section 303(d)(1)(c) and (2) of the Clean Water Act to address impairments of water quality as identified on Pennsylvania's 1996, 1998, and 2002 Section 303(d) lists. The segment was listed for the failure to attain the aquatic life use.

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) be considered reasonable assurance that the TMDL can be met; and (8) be subject to public participation. The TMDLs for the Brush Run watershed satisfied each of these requirements. A copy of the TMDL Report has been included with this letter.

Following the establishment of these TMDLs, Pennsylvania is required to incorporate these TMDLs into Pennsylvania's Water Quality Management Plan pursuant to 40 CFR §130.7(d)(2). As you know, all new or revised National Pollutant Discharge Elimination System (NPDES) 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 me or contact Mrs. Evelyn S. MacKnight at (215) 814-5717.

Sincerely,

Jon M. Capacasa, Director
Water Protection Division

Enclosures