



REGION 2

NEW YORK, N.Y. 10007

February 13, 2025

Mr. Victor Poretti
Director, Division of Water Monitoring, Standards and Pesticides Control
New Jersey Department of Environmental Protection
PO Box 420 (Mail Code 401-041)
401 East State Street
Trenton, New Jersey 08625

Dear Mr. Poretti:

Thank you for your final 2022 New Jersey Integrated Water Quality Assessment Report (New Jersey 2022 Integrated Report) submitted electronically through the U.S. Environmental Protection Agency's (EPA) Assessment, Total Maximum Daily Load Tracking and Implementation System, known as ATTAINS, on January 8, 2025. The New Jersey 2022 Integrated Report includes New Jersey's 2022 Clean Water Act Section 303(d) list of impaired waters (New Jersey 2022 303(d) list). In accordance with Section 303(d) of the Clean Water Act (CWA) and 40 CFR Section 130.7, the EPA conducted a complete review of New Jersey's 2022 303(d) list and supporting documentation, including New Jersey's priority ranking of the impaired waters on the list for Total Maximum Daily Load (TMDL) development. The statutory and regulatory requirements and the EPA's review of New Jersey's compliance with each requirement are described in the enclosed supporting document.

Section 303(d) of the CWA and the EPA's implementing regulations at 40 CFR 130.7 require New Jersey to identify waters within its boundaries for which technology-based and other controls are not stringent enough to implement any water quality standards applicable to those waters. Under the EPA's regulations at 40 CFR 130.7(b)(4), New Jersey is required to identify the pollutants causing the impairment of the listed waters. Section 303(d) of the CWA further requires New Jersey to establish a priority ranking for the listed waters, considering the severity of the pollution and the designated uses of the listed waters. Finally, New Jersey is required to identify the waters targeted for TMDL development over the next two years.

The New Jersey 2022 303(d) list identifies 2,653 waterbody/pollutant combinations requiring TMDLs. Of these, New Jersey identified 98 waters targeted for development of TMDLs over the next two years. New Jersey announced the availability of the draft New Jersey 2022 Section 303(d) list in the New Jersey Register on February 5, 2024 (56 N.J.R. 220(a)). The public comment period for the draft New Jersey 2022 303(d) list concluded on March 6, 2024. During the public comment period, the draft New Jersey 2022 303(d) list was available on the New Jersey website. New Jersey received responses from 4

commenters during the public notice period. The comments were sufficiently addressed, and revisions were made to the draft New Jersey 2022 303(d) list.

Based upon the EPA's review of the submittal, the EPA approves the New Jersey 2022 303(d) list. Specifically, the EPA approves New Jersey's decision to list assessment units and associated pollutants, submitted electronically through the EPA's ATTAINS system, on the New Jersey 2022 303(d) list, along with New Jersey's priority ranking for these waters and pollutants. Because New Jersey no longer has a statewide water quality management plan, for compliance with 40 CFR 130.7(d)(2) and New Jersey's regulations at NJAC 7:15-5.4(b)(2), New Jersey must incorporate the New Jersey 2022 303(d) list into each of its current water quality management plans.

Thank you and your team for the efforts in achieving this important CWA milestone. Should you have any questions concerning this approval, please do not hesitate to contact me at (212) 637-4125, or have your staff contact Makini Valentine-Turton at (212) 637-3824.

Sincerely,

Javier E. Laureano, Ph.D.
Director
Water Division

Enclosures

1. Supporting Document of NJDEP 2022 303(d) list

Cc: Kim Cenno (NJDEP)
Frank Klapinski (NJDEP)
Rosella O'Connor (EPA)
Wayne Jackson (EPA)