



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Region 1

**5 Post Office Sq., Suite 100
BOSTON, MA 02109-3912**

September 20, 2011

Patricia Aho, Acting Commissioner
Maine Department of Environmental Protection
17 State House Station
Augusta, ME 04333-0017

Re: Maine's 2010 Clean Water Act §303(d) List

Dear Ms. Aho:

Thank you for Maine's submittal of the State's 2010 Clean Water Act (CWA) §303(d) list on December 10, 2010 (revised September 15, 2011). In accordance with §303(d) of the CWA and 40 CFR §130.7, the U.S. Environmental Protection Agency (EPA) conducted a complete review of Maine's 2010 §303(d) list. Based on this review, EPA has determined that Maine's 2010 §303(d) list of water quality limited segments still requiring total maximum daily loads (TMDLs) meets the requirements of CWA §303(d) and EPA's implementing regulations. Therefore, EPA hereby approves Maine's decision to include the waters the State placed in Categories 5A and 5D of Maine's 2010 integrated list of surface waters, as well as Maine's decision to remove specific waters from the 2010 list.

The submittal includes a list of those waters for which technology-based and other required controls for point and nonpoint sources are not stringent enough to attain or maintain compliance with the State's Water Quality Standards. The submittal also presents Maine's TMDL strategy, which describes a priority-setting approach and identifies those waters for which TMDLs will be completed and submitted to EPA over time. The statutory and regulatory requirements, and EPA's review of Maine's compliance with each requirement, are described in detail in the enclosed approval document.

The Maine Department of Environmental Protection (ME DEP) also successfully completed a public participation process in 2010 during which the public was given the opportunity to review and comment on the State's proposed §303(d) list. As a result of this effort, Maine has considered public comments in the development of the final list. A summary of the public comments and ME DEP's response to comments were included in the final submittal.

We greatly appreciate the concerted effort by your staff towards a timely preparation and initial submittal of the 2010 list on December 10, 2010. My staff and I look forward to continued cooperation with ME DEP in implementing the requirements under Section 303(d) of the CWA. Please feel free to contact me or Jennie Bridge at 617-918-1685 if you have any questions or comments on our review.

Sincerely,

/s/

Stephen S. Perkins, Director
Office of Ecosystem Protection

Enclosure

cc: Michael Mullen, Acting Bureau Director, BLWQ, ME DEP
Susan Davies, ME DEP
Stephen Silva, EPA Region 1
Jennie Bridge, EPA Region 1
Ann Williams, EPA Region 1
Greg Dain, EPA Region 1