



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

Katheryn Emery, Director
Division of Water and Waste Management
West Virginia Department of Environmental Protection
601 57th Street SE
Charleston, West Virginia 25304

Dear Ms. Emery,

The United States Environmental Protection Agency, Region III (EPA) is pleased to approve the total iron and/or fecal coliform bacteria Total Maximum Daily Loads (TMDLs) for the Lower Ohio River Watershed. The West Virginia Department of Environmental Protection (WVDEP) submitted the report, *Total Maximum Daily Loads for the Lower Ohio River Watershed, West Virginia, Final Draft Report* (March 2021), to EPA for review and approval on March 4, 2021. Draft versions of TMDLs were released for public comment beginning on November 30, 2020 to January 12, 2021. The TMDLs were established to address use impairments as identified on West Virginia's 2016 Section 303(d) List.

The TMDLs were established and submitted in accordance with Sections 303(d)(1)(c) and 303(d)(2) of the Clean Water Act. Our review indicates that the load and wasteload allocations in the TMDLs have been established at levels necessary that, when fully implemented, will lead to the attainment of the water quality standards addressed by these TMDLs. A copy of EPA's rationale for approval is enclosed.

As you are aware, any new or revised National Pollutant Discharge Elimination System permits must be consistent with the assumptions and requirements of the TMDL wasteload allocations pursuant to 40 CFR §122.44 (d)(1)(vii)(B). Please continue to submit all such permits to EPA for review as per EPA's letters dated September 29, 1998, and July 7, 2009.

If you have any questions, please do not hesitate to contact me, or have your staff contact Ms. Irene Shandruk, West Virginia TMDL Coordinator, at 215-814-2166.

Sincerely,

Catherine A. Libertz, Director
Water Protection Division

Enclosure

cc: Mr. John Wirts, WVDEP (via email)
Ms. Mindy Neil, WVDEP (via email)