



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Region 1

5 Post Office Square, Suite 100
Boston, MA 02109-3912

May 2, 2013

Kenneth L. Kimmell, Commissioner
Massachusetts Department of Environmental Protection
1 Winter Street
Boston, MA 02108

Dear Mr. Kimmell:

Thank you for your submittal of the 2012 Clean Water Act ("CWA") Section 303(d) list, *2012 State of Massachusetts Integrated List of Waters Final Listing of the Condition of Massachusetts' Waters Pursuant to Sections 305(b) and 303(d) of the Federal Clean Water Act (IL)*. In accordance with Section 303(d) of the CWA and 40 CFR §130.7, the U.S. Environmental Protection Agency, Region 1 (EPA) conducted a complete review of Massachusetts' 2012 Section 303(d) list and supporting documentation. Based on this review, EPA has determined that Massachusetts' list of water quality limited segments still requiring Total Maximum Daily Loads (TMDLs) meets the requirements of Section 303(d) of the CWA and EPA's implementing regulations. Therefore, by this letter, EPA hereby approves Massachusetts' 2012 Section 303(d) 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 Commonwealth's Water Quality Standards. The submittal also presents Massachusetts' TMDL strategy which describes the priority setting approach and identifies those waters for which TMDLs will be completed and submitted during the next two years and beyond. The statutory and regulatory requirements, and EPA's review of Massachusetts' compliance with each requirement, are described in detail in the enclosed approval document.

The Massachusetts Department of Environmental Protection (MassDEP) has also successfully completed a public participation process during which the public was given the opportunity to review and comment on the 2012 Section 303(d) list. As a result of this effort, Massachusetts has considered public comments in the development of the final list. The public comments and MassDEP's responses to those comments were included in the State's final submittal.

We appreciate the level of effort that MassDEP has devoted to preparing the 2012 Section 303(d) list. Your staff has done an excellent job of preparing a comprehensive and informative list, and providing EPA with supporting documentation and assistance to aid us in our review and approval. My staff and I look forward to continued cooperation with MassDEP in implementing the requirements under Section 303(d) of the CWA.

Please feel free to contact Andrea Traviglia at 617-918-1993 if you have any questions about or comments on our review.

Sincerely,



Kenneth Moraff, Acting Director
Office of Ecosystem Protection

Enclosure

cc: Rick Dunn, MassDEP
Art Johnson, MassDEP
Andrea Traviglia, EPA Region 1
Greg Dain, EPA Region 1
Ralph Abele, Acting Chief, Water Quality Branch, EPA Region 1