



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region 1
1 Congress Street, Suite 1100
Boston, MA 02114-2023

September 28, 2007

Laurie Burt, Commissioner
Massachusetts Department of Environmental Protection
1 Winter Street
Boston, MA 02108

Re: 2006 Clean Water Act Section 303(d) List Approval

Dear Commissioner Burt:

Thank you for your final submittal of the 2006 Clean Water Act Section 303(d) list, Massachusetts Year 2006 Integrated List of Waters - Category 5, dated August 17, 2007. In accordance with Section 303(d) of the Clean Water Act and 40 CFR §130.7, the U.S. Environmental Protection Agency (EPA) conducted a complete review of Massachusetts' 2006 Section 303(d) list and supporting documentation. Based on this review, EPA has determined that Massachusetts' 2006 Section 303(d) list of water quality limited segments still requiring total maximum daily loads (TMDLs) meets the requirements of §303(d) of the Clean Water Act (CWA) and EPA's implementing regulations. Therefore, EPA hereby approves Massachusetts' decision to include the waters in Category 5, on its Section 303(d) list, as well as Massachusetts' decision to remove specific waters from the 2006 Section 303(d) list.

Massachusetts' 2006 Section 303(d) list 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 presents Massachusetts' TMDL strategy which describes a priority setting approach for which TMDLs will be completed and submitted over time. The statutory and regulatory requirements, and EPA's review of Massachusetts' compliance with each requirement, are described in detail in the enclosed approval document.

Massachusetts completed a public participation process for the 2006 Section 303(d) list during which the public was given the opportunity to review and comment on the Section 303(d) list. As a result of this effort, Massachusetts has considered public comments in the development of the final list. A summary of the public comments and Massachusetts' response to those comments were included in the August 17, 2007 submittal.

I would like to thank your staff for their assistance in working with my staff in finalizing the 2006 Section 303(d) list. We look forward to continued cooperation with MassDEP in implementing the requirements under Section 303(d) of the Clean Water Act. Please feel free to contact me or Mike Hill at 617-918-1398, if you have any questions or comments on our review.

Sincerely,



Stephen S. Perkins, Director
Office of Ecosystem Protection

Enclosure

cc: Arleen O'Donnell, MassDEP
Glenn Haas, MassDEP
Rick Dunn, MassDEP
Arthur Johnson, MassDEP
Ann Williams, EPA
Steve Silva, EPA
Mike Hill, EPA