



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029  
11/10/2008

Mr. Scott Mandirola, Acting Director  
Division of Water and Waste Management  
West Virginia Department of Environmental Protection  
601 57<sup>th</sup> Street SE  
Charleston, West Virginia 25304-2345

Dear Mr. Mandirola:

The U.S. Environmental Protection Agency (EPA), Region III, is pleased to approve the Total Maximum Daily Loads (TMDLs) for iron, aluminum, pH, fecal coliform and/or biological impairments on eighty-eight waterbodies in the New River Watershed. The TMDLs were submitted by West Virginia on July 9, 2008, and were received by EPA on July 10, 2008. EPA commends West Virginia on completion of these TMDLs, developed under the Watershed Management Framework of the West Virginia TMDL program. We recognize the significant effort and dedication of you and your staff in developing these TMDLs.

In accordance with Federal regulations at 40 CFR '130.7, a TMDL must comply with the following requirements: (1) be designed to attain and maintain the applicable water quality standards; (2) include a total allowable loading and as appropriate, wasteload allocations for point sources and load allocations for nonpoint sources; (3) consider the impacts of background pollutant contributions; (4) take critical stream conditions into account (the conditions when water quality is most likely to be violated); (5) consider seasonal variations; (6) include a margin of safety (which accounts for any uncertainties in the relationship between pollutant loads and instream water quality); and (7) be subject to public participation. The TMDLs for the New River Watershed satisfy each of these requirements. In addition, these TMDLs considered reasonable assurance that the TMDL allocations assigned to nonpoint sources can be reasonably met. A copy of EPA's Decision Rationale for approval of these TMDLs is included with this letter.

As you know, any new or revised National Pollutant Discharge Elimination System permits must be consistent with the TMDL's wasteload allocations pursuant to 40 CFR '122.44(d)(1)(vii)(B). Please submit all such permits to EPA for review as per EPA's letter dated October 1, 1998.

If you have any questions concerning these TMDLs, please contact Ms. Jennifer Sincock, at (215) 814-5766.

Sincerely,

/Signed/

Jon M. Capacasa, Director  
Water Protection Division

Enclosures

cc: Mr. Patrick Campbell, WVDEP  
Mr. David Montali, WVDEP