

US EPA ARCHIVE DOCUMENT



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

MAY 08 2013

REPLY TO THE ATTENTION OF: WW-16J

Bruno Pigott, Assistant Commissioner
Office of Water Quality
Indiana Department of Environmental Management
Mail Code IGCN 1315
100 North Senate Avenue
Indianapolis, Indiana 46204-2251

Dear Mr. Pigott:

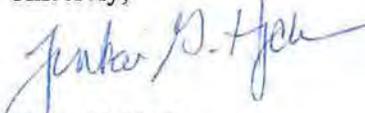
The U. S. Environmental Protection Agency conducted a complete review of Indiana's 2010 Section 303(d) list (Category 5 of the Integrated Report), and supporting documentation and information. Based on this review EPA determined that Indiana's 2010 list of water quality-limited segments still requiring Total Maximum Daily Load calculations partially meets the requirements of Section 303(d) of the Clean Water Act and EPA's implementing regulations. Therefore, EPA hereby partially approves Indiana's 2010 Section 303(d) list (Table 1 in Appendix A1 of the enclosed decision document). EPA disapproves the State's decision not to list a series of waters for certain metal impairments (Table 12 in Appendix A1 of the enclosed decision document), because EPA finds the Indiana Department of Environmental Management has not considered "applicable water quality standards" pursuant to 40 C.F.R. § 130.7(b)(3), has not evaluated existing and readily available water quality-related metals data and information to develop the 303(d) list pursuant to 40 C.F.R. § 130.7(b)(5), and has not demonstrated good cause pursuant to 40 C.F.R. § 130.7(b)(6) for its decision not to list these waters.

EPA is proposing to list the waters in Table 12 under Appendix A1 of the enclosed decision document as water quality-limited segments still requiring TMDLs under Section 303(d) of the Clean Water Act and the implementing regulations 40 C.F.R. § 130.7. The statutory and regulatory requirements, and EPA's review of Indiana's compliance with each requirement, are described in the enclosed decision document.

EPA is partially approving and partially disapproving Indiana's 2010 listing of water quality-limited segments pursuant to Section 303(d) of the Clean Water Act and 40 C.F.R. § 130.7(d)(2). EPA will provide public notice and an opportunity to comment on its decision to add the waters identified in Table 12 under Appendix A1 of the enclosed decision document to the State's 303(d) list. After considering the public comments EPA will make any appropriate revisions to the waters to be listed and transmit the final determination to IDEM pursuant to 40 C.F.R. § 130.7(d)(2).

We appreciate your submittal of the 2010 303(d) list. If you have any questions, please contact Mr. Peter Swenson, Chief, Watersheds and Wetlands Branch at 312-886-0236.

Sincerely,



Tinka G. Hyde
Director, Water Division

Enclosure

cc: Marylou Poppa Renshaw, IDEM
Bonny Elifritz, IDEM
Jody Arthur, IDEM