UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029
7/7/2006

Dr. Richard Eskin, Ph.D., Director
Technical and Regulatory Services Administration
Maryland Department of the Environment
1800 Washington Boulevard, Suite 450
Baltimore, MD 21230

Dear Dr. Eskin:

The U.S. Environmental Protection Agency (EPA) Region III has reviewed the report, "Water Quality Analysis of Fecal Coliform for Herring and Turville Creek of the Isle of Wight Bay Basin in Worcester County, Maryland," which was submitted by the Maryland Department of the Environment (MDE) for final Agency review on May 12, 2006.

EPA agrees with MDE's determination that the recent data show that a fecal coliform Total Maximum Daily Load (TMDL) is not necessary for the Herring and Turville Creek. The Herring and Turville Creek of the Isle of Wight Bay Basin (basin code 02-13-01-03) was first listed by Maryland on its 1996 Section 303(d) list of water-quality limited segments as impaired by nutrients and fecal coliform with evidence of biological impacts in the non-tidal portion added in 2004. Maryland's 2004 Section 303(d) list refined the fecal coliform impairment with the identification of a specific restricted shellfish harvesting area: Herring and Turville Creek. This water quality analysis addresses only the fecal coliform impairment. The listing for impacts to biological communities will be addressed separately at a future date. A TMDL to address the nutrient listing of Herring and Turville Creek, as part of the Northern Coastal Bay Watershed, was submitted and approved in 2001.

Shellfish waters are closed or restricted to harvesting when the fecal coliform criteria for shellfish harvesting waters are exceeded. The criteria include both a median and a 90^{th} percentile. For this WQA, MDE used routine monitoring data collected over a five-year period (June 2000 to June 2005) compared to the fecal coliform criteria including a median of 14 MPN/100 mL and a 90^{th} percentile of less than 49 MPN/100 mL. The monitoring data demonstrated that fecal coliform concentrations in Herring and Turville Creek fall within Maryland's standards. The observed fecal coliform median and 90^{th} percentile is 3.60 and 33.90 MPN/100 mL, respectively. Since the bacteria water quality criteria applicable to the designated use are being met in Herring and Turville Creek, a TMDL for fecal coliform is not necessary to achieve water quality standards in this watershed. If future evidence suggests that fecal coliform concentrations in the restricted shellfish harvesting area of Herring and Turville Creek are contributing to water-quality problems, then MDE will need to readdress the fecal coliform impairment.

If you have any questions or comments regarding this report, please contact Mr. Thomas Henry, TMDL Program Manager, at (215) 814-5752.

Sincerely,

Signed

Jon M. Capacasa, Director
Water Protection Division

cc: Melissa Chatham, MDE-TARSA