



MARYLAND DEPARTMENT OF THE ENVIRONMENT

1800 Washington Boulevard • Baltimore MD 21230

410-537-3000 • 1-800-633-6101

Martin O'Malley
Governor

Robert M. Summers, Ph.D.
Secretary

Anthony G. Brown
Lieutenant Governor

MEMORANDUM

TO: Angie Garcia, US Environmental Protection Agency Region III
FROM: Jeff White, Maryland Department of the Environment – Science Services Administration
RE: Review of the Approval Letter and Decision Rationale for the Potomac River Montgomery County Watershed Sediment Total Maximum Daily Load
DATE: November 1, 2012

Maryland Department of the Environment (MDE) has reviewed the Approval Letter and Decision Rationale for the following Total Maximum Daily Load (TMDL):

“Total Maximum Daily Load of Sediment in the Potomac River Montgomery County Watershed, Montgomery and Frederick Counties, Maryland”

As a result of this review, the following changes are requested:

Approval Letter

The 2nd and 3rd sentences of the 1st paragraph should say that the watershed was identified on “Maryland’s Integrated Report” as impaired rather than “Maryland’s 303(d) List”. The common naming convention, which has been used within TMDL and Water Quality Analysis (WQA) reports for the past several years by MDE, is to refer to the “Integrated Report” rather than the 303(d) List. This same revision applies to the text in the last sentence of the 2nd paragraph on page 1 and the first sentence of the 3rd paragraph on page 4 of the Decision Rationale.

In the first paragraph, the descriptor, “Integrated Report Assessment Unit ID” should precede the basin identification “MD-02140202”, in order to provide clarification. This same revision applies to the text in the last sentence of the 2nd paragraph on page 1 and the first sentence of the 3rd paragraph on page 4 of the Decision Rationale.

Decision Rationale

The 5th sentence of the 1st paragraph on page 2 of the Decision Rationale says that the sediment TMDL was calculated “so as to not cause any sediment related impacts to aquatic health”. The more accurate description, as per the TMDL documentation, is that the sediment TMDL was calculated “so as to not cause any sediment related impacts to aquatic life”. This same revision applies to the text in the 2nd sentence of the 4th paragraph on page 4, the 2nd sentence of the first full paragraph on page 5, and first sentence of the last paragraph on page 5 of the Decision Rationale.



The Maximum Daily Load (MDL) is referred to as the long-term maximum daily load, or long-term maximum daily TMDL throughout the Decision Rationale. While this is not completely inaccurate, based on the methodology used to calculate the load, MDE would recommend that this loading simply be referred to as the “maximum daily load”, or MDL, so as to avoid any confusion. This change should be made to the text in the first paragraphs on page 2 and 8 of the Decision Rationale.

In Table 2 on page 2 of the Decision Rationale, the Load Allocation (LA) for the Maryland portion of the watershed, the National Pollutant Discharge Elimination (NPDES) Wasteload Allocation (WLA), and Process Water WLA are incorrectly referred to as the “MD 8-Digit Potomac River Montgomery County Watershed TMDL Contribution”. The allocations should be referred to as the “MD 8-Digit Potomac River Montgomery County Watershed MDL Contribution”.

In Table 3 on page 3 of the Decision Rationale, the aggregate row for the “Minor Facilities” should clarify that the allocation is for “Minor Process Water Facilities”. Also, the first note to the table is incorrect. “Other NPDES Regulated Stormwater” sources do not include general jurisdictional Phase II municipal separate storm sewer system (MS4) permits. Jurisdictional Phase II MS4s have their own separate, aggregate allocation. “Other NPDES Regulated Stormwater” sources include non-jurisdictional general MS4s, all industrial facilities permitted for stormwater discharges, and general construction permits. Lastly, the last part of the first note to the table should be clarified. Table 4 only identifies some of the “Other NPDES Regulated Stormwater” sources, not all of them. Table 4 does not include the individual process water permits that incorporate stormwater requirements or non-jurisdictional Phase II MS4s, such as military bases, hospitals, etc.

The City of Rockville and City of Gaithersburg MS4 permits should be removed from Table 4 on page 3 of the Decision Rationale. These permits are not included in the “Other NPDES Regulated Stormwater” sources in the watershed.

Throughout the entire Decision Rationale, there is no mention of how the sediment TMDL only applies to the 1st through 4th order streams in the watershed and not the mainstem, since the mainstem was found to be supportive of aquatic life based on data from the Maryland Department of Natural Resources (DBR) CORE/TREND Monitoring network. This should be noted somewhere in the Decision Rationale and should probably be included in Section III, Background.

