

**Comment Response Document  
Regarding the Water Quality Analysis of Mercury  
for Broadford Lake, a.k.a Little Youghiogeny Site #6, Garrett County, MD**

### Introduction

The Maryland Department of the Environment (MDE) has conducted a public review of the proposed Water Quality Analysis (WQA) of mercury for Broadford Lake. The public comment period was open from November 6, 2003 through December 5, 2003. MDE received two sets of written comments.

Below is a list of commentors, their affiliation, the date comments were submitted, and the numbered references to the comments submitted. In the pages that follow, comments are summarized and listed with MDE's response.

### List of Commentors

Author	Affiliation	Date	Comment Number
Robert Koroncai	Office of Watersheds, U.S. Environmental Protection Agency	November 26, 2003	1 through 3
Louise Peters Friend	Peters Fuel Corporation	December 4, 2003	4

### Comments and Responses

1. The commentor states that page 7 (section 2.0) of the report suggests that the point source mercury loadings would not be a significant contributor to the overall loading, based on the concentrations assumed in the sensitivity analysis. The commentor suggests that this conclusion to the sensitivity analysis should be stated more explicitly.

**Response:** *Because the Broadford Lake listing is being addressed through a WQA rather than a Total Maximum Daily Load (TMDL), no loading analysis per se was conducted. Using the permitted point source discharge, the assumed mercury concentration in the discharge of 60 ng/l, and MDE's estimate of the total flow through Broadford Lake of 14.96 cfs, the additional water column concentration within Broadford Lake attributable to the point source would be only 0.25 picograms per liter. The relative flow contribution of the point sources has been clarified in the document.*

2. The commentor suggests that, in addition to the fish consumption threshold, the analysis should include a presentation of Maryland's current water quality criteria for mercury and a comparison that shows that water column concentrations do not exceed these criteria.

**Response:** *Maryland's ambient water quality criterion for Total Mercury is 1.4 µg/l (fresh water, acute); 0.77 µg/l (fresh water, chronic) and 0.051 µg/l (fish consumption, human health risk level = 10<sup>-5</sup>)(COMAR 26.08.02.03-2 Numerical Criteria for Toxic Substances in*

*Surface Waters). Samples collected to conduct supporting analyses for a Broadford Lake TMDL ranged from 0.98 to 1.42 ng/l (0.00098 – 0.00142 µg/l), well under any of the water quality criteria.*

*The mercury impairments currently being addressed in Maryland all relate to fish tissue concentrations. When conducting a TMDL for mercury, Maryland calculates an Allowable Ambient Water Column Concentration (AAWCC), which is site-specific for each impoundment. Since the listing for Broadford Lake was addressed through a Water Quality Analysis rather than a TMDL, this step was unnecessary, because there is no impairment.*

3. The commentor states that the EPA guidance described on Page 12 was based, in part, on a review of mercury TMDLs conducted in EPA Region 4, including “Total Maximum Daily Loads for Total Mercury in the Middle/Lower Savannah River, GA,” Appendix A: “Analysis of Atmospheric Deposition of Mercury to the Savannah River Watershed” (USEPA Region 4, February 28, 2001).

***Response:*** *The reference has been added to the document.*

4. The commentor states that they understand what the purpose of the WQA is, but they believe it is not necessary to notify people beyond those directly involved when a reporting mistake that does not create a threat or danger to anyone occurs.

***Response:*** *MDE appreciates the commentor’s position but MDE believes it is best to keep stakeholders in the watershed updated on regulatory actions that are taking place in the watershed.*