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October 20, 2011

MEMBER JURISDICTIONS

Mr. Jeffrey Corbin, Senior Advisor
Office of the Administrator
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Ave., NW
Washington, D.C. 20004
Corbin.jeffrey@epamail.epa.gov

Re: Waste Load Allocations in the Chesapeake Bay TMDL

Dear Mr. Corbin:

Thank you for your July 8, 2011 letter and responses to the Commission's questions. We greatly appreciate the time and effort that you and your EPA colleagues devoted to preparing the responses.

As you know, the Commission is particularly concerned about the individual Waste Load Allocations (WLAs) for the Virginia Phase I MS4s because they are based on inaccurate data and has asked that they be removed from the Chesapeake Bay TMDL. Your responses to Questions 1 and 2 indicated that EPA would work with the state to respond to our request that these be removed from the TMDL. Although you stated during our March 31, 2011 Commission meeting that EPA was close to resolving this issue, we have heard nothing since receiving your letter.

The Commission would appreciate knowing whether EPA has decided to remove the individual WLAs for the Virginia Phase I MS4s from the Bay TMDL, and if not, when you expect this issue to be resolved. Further, if EPA has decided not to remove the individual WLAs, we would appreciate an explanation for that decision. We ask that EPA respond within 30 days of the date of this letter.

I look forward to receiving EPA's response, and please do not hesitate to contact the Commission's Deputy Executive Director, John Carlock at 757.420.8300 or at jcarlock@hrpdcva.gov if you wish to discuss this matter further.

Sincerely,

Stan D. Clark
Chairman

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HRPDC

Copy: Anthony Moore, Assistant Secretary Chesapeake Bay Restoration
Office of the Secretary of Natural Resources
David A. Johnson, Director, Virginia Department of Conservation and Recreation
Dwight L. Farmer, Executive Director, HR Planning District Commission
John M. Carlock, Deputy Executive Director, HR Planning District Commission

JMC