

December 16, 2004

Ms. Yvonne Bolton, Acting Chief
Bureau of Water Management
Connecticut Department of Environmental Protection
79 Elm Street
Hartford, CT 06106

Dear Ms. Bolton:

Thank you for your submittal of the final **Total Maximum Daily Load Analysis for Batterson Park Pond, Farmington/New Britain Connecticut** for nutrients (total nitrogen and total phosphorus). This waterbody is included on Connecticut's 2004 303(d) list as a priority water for TMDL development. The TMDL addresses impairment of primary contact recreational use caused by excessive nutrient loading and concentration. The 303(d) list also identifies algal growth/chlorophyll *a* as a cause of the impairment of Batterson Park Pond. Excess nutrients in the waterbody are related to the presence of algae and excess chlorophyll *a*. This nutrient TMDL will consequently also address the presence of algal growth/chlorophyll *a* in Batterson Park Pond.

The U.S. Environmental Protection Agency (EPA) hereby approves Connecticut's TMDL dated November 29, 2004 and received by EPA on December 2, 2004. EPA has determined that this TMDL meets the requirements of Section 303(d) of the Clean Water Act (CWA) and EPA's implementing regulations (40 CFR Part 130). Attached is a copy of our approval documentation.

I am aware that your staff prepared the TMDL for Kenosia Lake earlier in the year as a template for subsequent lake TMDLs, such as Batterson Park Pond. It is clear that this approach has streamlined the process and resulted in an excellent product. My staff and I continue to look forward to working with CTDEP in exercising our shared responsibility of implementing the requirements under Section 303(d) of the CWA.

If you have any questions regarding this approval, please contact Steve Silva at (617) 918-1561 or have your staff contact Mary Garren at (617) 918-1322. Thank you very much.

Sincerely,

Linda M. Murphy, Director
Office of Ecosystem Protection

attachment

cc with attachment:
Betsey Wingfield, CT DEP
Lee Dunbar, CT DEP
Kelly Streich, CT DEP
Steve Silva, EPA
Lynne Hamjian, EPA
Mary Garren, EPA

TMDL: A Total Maximum Daily Load for Batterson Park Pond,
Farmington/New Britain, Connecticut

CT Waterbody Segment ID# CT4401-00-1-L1_01 on the State of Connecticut 2004 List of Connecticut Water Bodies Not Meeting Water Quality Standards (303(d) of the Federal Clean Water Act); Tier 2 water

STATUS: Final

IMPAIRMENT/POLLUTANT: Batterson Park Pond is impaired for primary contact recreational use. Causes for this impairment are listed as algal growth/chlorophyll *a* and nutrients. The TMDLs are proposed for nutrients: total nitrogen (TN) and total phosphorus (TP). Excessive antropogenic nutrient loading and concentrations are related causes of algal growth/chlorophyll *a*. This TMDL report addresses nutrients and algal growth/chlorophyll *a*; all of which contribute to the impairment of primary contact recreation in Batterson Park Pond.

BACKGROUND:

The Connecticut Department of Environmental Protection (CTDEP) submitted to EPA New England the final TMDL Analysis for Batterson Park Pond with a transmittal letter dated November 30, 2004. A draft TMDL report was prepared by CTDEP and dated October 6, 2004. The one-month public comment period ran from October 8 to November 12, 2004. One public comment letter was received. The final TMDL report was signed on November 29, 2004. Submitted along with the final TMDL report were: a copy of the public notice, the mailing list, and the State's response to comments.

The following review explains how the TMDL submission meets the statutory and regulatory requirements of TMDLs in accordance with Sec. 303(d) of the Clean Water Act, and 40 CFR Part 130.

REVIEWER: Mary Garren (617-918-1322)

Garren.Mary@EPA.GOV

REVIEW ELEMENTS OF TMDLs

Section 303(d) of the Clean Water Act (CWA) and EPA's implementing regulations at 40 C.F.R. § 130 describe the statutory and regulatory requirements for approvable TMDLs. The following information is generally necessary for EPA to determine if a submitted TMDL fulfills the legal requirements for approval under Section 303(d) and EPA regulations, and should be included in the submittal package. Use of the verb "must" below denotes information that is required to be submitted because it relates to elements of the TMDL required by the CWA and by regulation.

1. **Description of Waterbody, Pollutant of Concern, Pollutant Sources and Priority Ranking**

The TMDL analytical document must identify the waterbody as it appears on the State/Tribe's 303(d) list, the pollutant of concern and the priority ranking of the waterbody. The TMDL submittal must include a description of the point and nonpoint sources of the pollutant of concern, including the magnitude and location of the sources. Where it is possible to separate natural background from nonpoint sources, a description of the natural background must be provided, including the magnitude and location of the source(s). Such information is necessary for EPA's review of the load and wasteload allocations, which are required by regulation. The TMDL submittal should also contain a description of any important assumptions made in developing the TMDL, such as: (1) the assumed distribution of land use in the watershed; (2) population characteristics, wildlife resources, and other relevant information affecting the characterization of the pollutant of concern and its allocation to sources; (3) present and future growth trends, if taken into consideration in preparing the TMDL; and, (4) explanation and analytical basis for expressing the TMDL through *surrogate measures*, if applicable. *Surrogate measures* are parameters such as percent fines and turbidity for sediment impairments, or chlorophyll *a* and phosphorus loadings for excess algae.

Assessment:

Batterson Park Pond is a freshwater lake (page 3) located in the Town of Farmington and the City of New Britain (Hartford County). The lake is owned by the City of Hartford.

The 165-acre lake lies within a 2,709-acre watershed within the Connecticut River basin.

The lake and its watershed form the headwaters of Bass Brook. Maximum and mean water depths of the lake are 21.7 and 17.0 feet, respectively, with the lake volume estimated at 122 million cubic feet. Base flow from the watershed provides approximately 12% of the inflow to the lake, storm flow accounts for 49% and the remainder of the annual input to the lake is from direct precipitation and ground water seepage. The watershed is 64% forested, 25% urban and 11% agricultural and open space.

Batterson Park Pond is listed on the State of Connecticut 2004 List of Connecticut Water Bodies Not Meeting Water Quality. Primary contact recreational use of the lake is impaired due to eutrophication caused by excessive nutrient loading and algal growth/chlorophyll a. The 2004 list ranked Batterson Park Pond as a Tier 2 waterbody (page 2) and as a priority "T" (page 5). These waters are under study that may lead to TMDL development if appropriate, as with Batterson Park Pond. CTDEP finds that the

lake experiences non-algal turbidity during inclement weather due to runoff and associated soil erosion (page 3). Excess nutrients contribute to algal blooms under low-flow conditions. This TMDL report addresses the excess nitrogen and phosphorus loading and the algal growth/chlorophyll a. Nitrogen input to the watershed from waterfowl will also be addressed by implementation of this TMDL report (page 21).

The TMDL report references a detailed diagnostic water quality assessment that was performed on the lake (page 5). Nitrogen and phosphorus sources identified in the assessment are presented in the TMDL report. No permitted point source discharges of nutrients are located in the watershed. There are, however, stormwater discharges located in the watershed that are regulated as point sources under federal NPDES regulations.

EPA concludes that the TMDL report sufficiently describes the waterbody, pollutant of concern, pollutant sources and priority ranking.

2. Description of the Applicable Water Quality Standards and Numeric Water Quality Target

The TMDL submittal must include a description of the applicable State/Tribe water quality standard, including the designated use(s) of the waterbody, the applicable numeric or narrative water quality criterion, and the antidegradation policy. Such information is necessary for EPA's review of the load and wasteload allocations required by regulation. A numeric water quality target for the TMDL (a quantitative value used to measure whether or not the applicable water quality standard is attained) must be identified. If the TMDL is based on a target other than a numeric water quality criterion, then a numeric expression, usually site specific, must be developed from a narrative criterion and a description of the process used to derive the target must be included in the submittal.

Assessment:

The State of Connecticut Water Quality Standards applicable to Batterson Park Pond have two components (page 10). Surface Water Standards and Lake Trophic Categories are both relevant to determining whether Batterson Park Pond meets its Water Quality Standards. Class A Water Quality Standards apply to Batterson Park Pond to preserve its use for habitat for fish and other aquatic life and wildlife; potential drinking water supplies; recreation; navigation; and water supply for industry and agriculture. The surface water standards criteria for nitrogen and phosphorus used in this nutrient TMDL report are narrative criteria. Specific CTDEP standards are referenced in the TMDL report (page 11). The natural trophic state of Batterson Park Pond, in the absence of human-derived inputs, would be mesotrophic to late mesotrophic (pages 11-12). Lake trophic standards are defined in CT's Water Quality Standards. Batterson Park Pond, in its present eutrophic state, fails to meet both portions of the applicable Water Quality Standards (page 11, last paragraph). The TMDL report is clear that no additional wasteload allocations will be permitted in the future (page 16) ensuring compliance with the anti-degradation policy.

CTDEP provides numerous points to justify that a Total Maximum Annual Load (TMAL) is a better expression for the nutrient loading capacity of a lake than a TMDL (page 2, last paragraph). The nonpoint sources that contribute nutrients to Batterson Park Pond are highly variable and seasonally dependent. Uncertainty in nutrient loads is high. The TMAL is a more realistic number and goal to assess compliance with Water Quality Standards. This TMDL report estimates that compliance with Water Quality Standards and use attainment would be achievable with TMALs for nitrogen and phosphorus set at 4943 and 222 kg/yr, respectively (pages 17-19, table 6). Narrative and numeric calculation of the TMALs are presented on pages 12-17. The TMALs were determined based on a detailed current loading analysis and comparison with target levels based on various applicable criteria. Appendix A presents an assessment of how the implementation of best management practices (BMPs) in the Batterson Park Pond watershed will improve the water quality of the lake and help the lake attain mesotrophic conditions again.

EPA concludes that the TMDL report sufficiently describes the applicable water quality standards and numeric water quality targets.

3. Loading Capacity - Linking Water Quality and Pollutant Sources

As described in EPA guidance, a TMDL identifies the loading capacity of a waterbody for a particular pollutant. EPA regulations define loading capacity as the greatest amount of loading that a water can receive without violating water quality standards (40 C.F.R. § 130.2(f)). The loadings are required to be expressed as either mass-per-time, toxicity or other appropriate measure (40 C.F.R. § 130.2(i)). The TMDL submittal must identify the waterbody's loading capacity for the applicable pollutant and describe the rationale for the method used to establish the cause-and-effect relationship between the numeric target and the identified pollutant sources. In most instances, this method will be a water quality model. Supporting documentation for the TMDL analysis must also be contained in the submittal, including the basis for assumptions, strengths and weaknesses in the analytical process, results from water quality modeling, etc. Such information is necessary for EPA's review of the load and wasteload allocations which are required by regulation.

In many circumstances, a *critical condition* must be described and related to physical conditions in the waterbody as part of the analysis of loading capacity (40 C.F.R. § 130.7(c)(1)). The critical condition can be thought of as the "worst case" scenario of environmental conditions in the waterbody in which the loading expressed in the TMDL for the pollutant of concern will continue to meet water quality standards. *Critical conditions* are the combination of environmental factors (e.g., flow, temperature, etc.) that results in attaining and maintaining the water quality criterion and has an acceptably low frequency of occurrence. *Critical conditions* are important because they describe the factors that combine to cause a violation of water quality standards and will help in identifying the actions that may have to be undertaken to meet water quality standards.

Assessment:

The TMDL report presents a detailed current loading analysis (pages 5-10) based on four methods: the lake-specific budget calculated in the 1993 Diagnostic Water Quality Study, existing raw data from the same study, the average of six empirical models, and a calibrated land use export coefficient model. The strengths and weakness of these four methods are presented on pages 5 and 6. CTDEP's use of multiple methods to estimate current and background nutrient loading is conservative. The estimates made using these four methods are the bases for the TMALs. The TMALs for Batterson Park Pond are set at TN 4943 kg/yr and TP 222 kg/yr (pages 17-19, table 6). These targets are based on modeled background conditions and possible load reductions as presented in the TMDL report (pages 10-17). The TMALs were established as the average loads from existing data and models after reductions in loading of TN and TP (page 13). The total nitrogen reduction necessary is identified as a 60% reduction in TN for total watershed load and a 50% reduction from waterfowl. Reductions identified for total phosphorus are a 60% reduction in TP for the total watershed load and a 50% reduction from waterfowl, as well as a 50% reduction in internal loading (page 14). Post-TMAL implementation conditions in the lake are presented in tables 2 and 7 and Appendix A. In-lake concentrations of nitrogen and phosphorus, based on the TMALs, are estimated as 498 ug/L total nitrogen and 22 ug/L total phosphorus (page 18).

Batterson Park Pond would be expected to approach critical condition in the late spring or early summer. Increased precipitation, decreased flushing rates, and higher internal loading of phosphorus via sediment release are more likely to occur during that season. These conditions are identified as the primary contributing factors to increased nutrient loads in the watershed (pages 19). The occurrence of these conditions in excess could pose a critical condition for the water quality of the lake. CTDEP estimates ideal loading

conditions for the spring and summer seasons (pages 19 and 20). Loading in excess of these estimates will serve as a potential indicator of critical conditions in the lake.

EPA concludes that the TMDL report sufficiently determines the loading capacity and links water quality and pollutant sources

4. Load Allocations (LAs)

EPA regulations require that a TMDL include LAs, which identify the portion of the loading capacity allocated to existing and future nonpoint sources and to natural background (40 C.F.R. § 130.2(g)). Load allocations may range from reasonably accurate estimates to gross allotments (40 C.F.R. § 130.2(g)). Where it is possible to separate natural background from nonpoint sources, load allocations should be described separately for background and for nonpoint sources.

If the TMDL concludes that there are no nonpoint sources and/or natural background, or the TMDL recommends a zero load allocation, the LA must be expressed as zero. If the TMDL recommends a zero LA after considering all pollutant sources, there must be a discussion of the reasoning behind this decision, since a zero LA implies an allocation only to point sources will result in attainment of the applicable water quality standard, and all nonpoint and background sources will be removed.

Assessment:

The Load Allocation to Batterson Park Pond includes surface water base flow, internal sediment loading, waterfowl input, groundwater in seepage and atmospheric deposition. All storm water run-off is regulated and therefore included in the Wasteload Allocation. The total Load Allocations for total nitrogen and total phosphorus are 3058 kg/yr and 128 kg/yr, respectively (page 15 and table 4). BMPs resulting in reductions in internal phosphorus loads and reductions in nutrients from waterfowl are anticipated in the future as part of the implementation plan.

EPA concludes that the TMDL report sufficiently addresses the calculation of a load allocation.

5. Wasteload Allocations (WLAs)

EPA regulations require that a TMDL include WLAs, which identify the portion of the loading capacity allocated to existing and future point sources (40 C.F.R. § 130.2(h)). If no point sources are present or if the TMDL recommends a zero WLA for point sources, the WLA must be expressed as zero. If the TMDL recommends a zero WLA after considering all pollutant sources, there must be a discussion of the reasoning behind this decision, since a zero WLA implies an allocation only to nonpoint sources and

background will result in attainment of the applicable water quality standard, and all point sources will be removed.

In preparing the wasteload allocations, it is not necessary that each individual point source be assigned a portion of the allocation of pollutant loading capacity. When the source is a minor discharger of the pollutant of concern or if the source is contained within an aggregated general permit, an aggregated WLA can be assigned to the group of facilities. But it is necessary to allocate the loading capacity among individual point sources as necessary to meet the water quality standard.

The TMDL submittal should also discuss whether a point source is given a less stringent wasteload allocation based on an assumption that nonpoint source load reductions will occur. In such cases, the State/Tribe will need to demonstrate reasonable assurance that the nonpoint source reductions will occur within a reasonable time.

Assessment:

There are no continuous point source discharges of nutrients within the Batterson Park Pond watershed. The entire watershed for the pond is, however, regulated under the NPDES "Phase II Rule" making all storm water loading to the Batterson Park Pond regulated (page 14). The Wasteload Allocation is therefore equal to 1885 kg/yr total nitrogen and 94 kg/yr total phosphorus present in the regulated storm water (table 5). No future growth factor is allocated to the Wasteload Allocation. All future discharge permits, including storm water permits, will be written to ensure that the TMAL is not exceeded. Best Management Practices will be required in any future discharge permits to allow for TMAL attainment (pages 16).

EPA concludes that the TMDL report sufficiently addresses the calculation of a wasteload allocation

6. Margin of Safety (MOS)

The statute and regulations require that a TMDL include a margin of safety to account for any lack of knowledge concerning the relationship between load and wasteload allocations and water quality (CWA § 303(d)(1)(C), 40 C.F.R. § 130.7(c)(1)). EPA guidance explains that the MOS may be implicit, i.e., incorporated into the TMDL through conservative assumptions in the analysis, or explicit, i.e., expressed in the TMDL as loadings set aside for the MOS. If the MOS is implicit, the conservative assumptions in the analysis that account for the MOS must be described. If the MOS is explicit, the loading set aside for the MOS must be identified.

Assessment:

An implicit Margin of Safety is relied upon in the TMDL report. Conservative assumptions regarding nutrient availability suggest a Margin of Safety of up to 60% for nitrogen and 19% for phosphorus (page 17). The TMALs are based on total nutrient loads. Much of the particulate fraction of TN and TP that becomes incorporated into the sediment, if later released, has already been accounted for as internal load. Storm water data collected in 1991-1992 suggest that actual loads are substantially less than assumed in calculations due to lower nutrient availability. This difference between total estimated nutrient loads and actual measured nutrient loads is the basis for the implicit Margin of Safety.

The TMDL report stresses the uncertainty inherent in systems dominated by storm water and the large temporal variability in loading in these systems. The implementation actions needed to address storm water inputs and internal loading will address the target loads

in an iterative process (page 17). An explicit MOS would not be particularly meaningful given the uncertainties and nature of the implementation process. The implementation process would remain essentially the same even if an attempt was made to present an explicit MOS.

EPA concludes that the TMDL report sufficiently addresses the need for a margin of safety.

7. Seasonal Variation

The statute and regulations require that a TMDL be established with consideration of seasonal variations. The method chosen for including seasonal variations in the TMDL must be described (CWA § 303(d)(1)(C), 40 C.F.R. § 130.7(c)(1)).

Assessment:

The Batterson Park Pond TMDL report addresses seasonal variation (pages 19-20) to establish an annual target load that would remain protective for all seasons. Batterson Park Pond is expected to flush twice a year, but that can vary with precipitation patterns. Critical conditions are most likely to occur in the late spring and early summer when loading can be greater and flushing rates lower. CTDEP estimates that no more than 1/4 of the annual load should be attributed to each of the spring and summer seasons. No more than 1/3 of the seasonal load should be attributed to any one month during the spring and summer. Weekly or daily loading is not as meaningful in this system.

EPA concludes that the TMDL report sufficiently considers season variation.

8. Monitoring Plan for TMDLs Developed Under the Phased Approach

EPA's 1991 document, *Guidance for Water Quality-Based Decisions: The TMDL Process* (EPA 440/4-91-001), recommends a monitoring plan when a TMDL is developed under the phased approach. The guidance recommends that a TMDL developed under the phased approach also should provide assurances that nonpoint source controls will achieve expected load reductions. The phased approach is appropriate when a TMDL involves both point and nonpoint sources and the point source is given a less stringent wasteload allocation based on an assumption that nonpoint source load reductions will occur. EPA's guidance provides that a TMDL developed under the phased approach should include a monitoring plan that describes the additional data to be

collected to determine if the load reductions required by the TMDL lead to attainment of water quality standards.

Assessment:

The monitoring plan outlined in the TMDL report is comprehensive. Water sampling in tributaries and stormwater discharges, as well as throughout the water column of the lake is recommended (page 20). The frequency of sampling and the necessary analytical parameters are presented. Phytoplankton, zooplankton and sediment samples are also recommended as a way to assess the conditions of the lake. The utility of waterfowl counts and mapping of the rooted plant assemblage is explained. Annual monitoring is recommended throughout the 10-year schedule of BMP implementation (table 9).

EPA concludes that the TMDL report provides sufficient detail in the monitoring plan.

9. Implementation Plans

On August 8, 1997, Bob Perciasepe (EPA Assistant Administrator for the Office of Water) issued a memorandum, “New Policies for Establishing and Implementing Total Maximum Daily Loads (TMDLs),” that directs Regions to work in partnership with States/Tribes to achieve nonpoint source load allocations established for 303(d)-listed waters impaired solely or primarily by nonpoint sources. To this end, the memorandum asks that Regions assist States/Tribes in developing implementation plans that include reasonable assurances that the nonpoint source load allocations established in TMDLs for waters impaired solely or primarily by nonpoint sources will in fact be achieved. The memorandum also includes a discussion of renewed focus on the public participation process and recognition of other relevant watershed management processes used in the TMDL process. Although implementation plans are not approved by EPA, they help establish the basis for EPA’s approval of TMDLs.

Assessment:

A detailed implementation plan (pages 21-24) advises the creation of a Water Quality Committee with representatives from the three communities. The 2001 Batterson Park Pond Water Quality Improvement Project Design Study Report provides the basis from which the committee is advised to begin its’ work. The TMDL document recommends that actions to control nutrients and sediment be targeted on stormwater management, waterfowl control, and internal phosphorus loading from pond sediments. Non-point source control measures are recommended as well as a proposed schedule for their completion phased over a ten-year period (table 9).

EPA acknowledges that the TMDL report includes an implementation plan. EPA does not approve this component of any TMDL submission.

10. Reasonable Assurances

EPA guidance calls for reasonable assurances when TMDLs are developed for waters impaired by both point and nonpoint sources. In a water impaired by both point and

nonpoint sources, where a point source is given a less stringent wasteload allocation based on an assumption that nonpoint source load reductions will occur, reasonable assurance that the nonpoint source reductions will happen must be explained in order for the TMDL to be approvable. This information is necessary for EPA to determine that the load and wasteload allocations will achieve water quality standards.

In a water impaired solely by nonpoint sources, reasonable assurances that load reductions will be achieved are not required in order for a TMDL to be approvable. However, for such nonpoint source-only waters, States/Tribes are strongly encouraged to provide reasonable assurances regarding achievement of load allocations in the implementation plans described in section 9, above. As described in the August 8, 1997 Perciasepe memorandum, such reasonable assurances should be included in State/Tribe implementation plans and “may be non-regulatory, regulatory, or incentive-based, consistent with applicable laws and programs.”

Assessment:

Reasonable assurances are not required for the Batterson Park Pond TMDL report because point sources (NPDES Phase II regulated storm water in this case) are not given a less stringent WLA based on any assumption that NPS load reductions will occur (table 6). However, there is reasonable assurance that reductions in regulated storm water will happen (page 27). The City of Hartford funded the preparation of the Diagnostic Water Quality Study and the Water Quality Improvement Project–Design Study Report. Complicating factors remain funding and the location of the watershed outside of the City of Hartford’s political jurisdiction. CTDEP’s recommended ten-year phased implementation schedule and the creation of a Water Quality Committee representing the three communities should help the City overcome these obstacles.

EPA concludes that the TMDL report offers reasonable assurances that the TMALs will be implemented.

11. Public Participation

EPA policy is that there must be full and meaningful public participation in the TMDL development process. Each State/Tribe must, therefore, provide for public participation consistent with its own continuing planning process and public participation requirements (40 C.F.R. § 130.7(c)(1)(ii)). In guidance, EPA has explained that final TMDLs submitted to EPA for review and approval must describe the State/Tribe’s public participation process, including a summary of significant comments and the State/Tribe’s responses to those comments. When EPA establishes a TMDL, EPA regulations require EPA to publish a notice seeking public comment (40 C.F.R. § 130.7(d)(2)).

Inadequate public participation could be a basis for disapproving a TMDL; however, where EPA determines that a State/Tribe has not provided adequate public participation, EPA may defer its approval action until adequate public participation has been provided for, either by the State/Tribe or by EPA.

Assessment:

The City of Hartford had held public meetings to explain the 1993 Diagnostic Water Quality Study of Batterson Park Pond (page 27). The TMDL report is built upon the information in the 1993 study. The TMDL document was noticed for public comment in the Hartford Courant on October 8, 2004. A mailing to interested parties and the three impacted communities was sent out to notify them of the public comment period. One comment letter was received and responded to by CTDEP. The response to comments was submitted along with the Final TMDL report. A copy of the public notice and the mailing list were also submitted. CTDEP intends to hold open forums during the implementation of the TDML.

EPA concludes that the TMDL report documents a sufficient public participation process.

12. Submittal Letter

A submittal letter should be included with the TMDL analytical document, and should specify whether the TMDL is being submitted for a *technical review* or is a *final submittal*. Each final TMDL submitted to EPA must be accompanied by a submittal letter that explicitly states that the submittal is a final TMDL submitted under Section 303(d) of the Clean Water Act for EPA review and approval. This clearly establishes the State/Tribe's intent to submit, and EPA's duty to review, the TMDL under the statute. The submittal letter, whether for technical review or final submittal, should contain such information as the name and location of the waterbody, the pollutant(s) of concern, and the priority ranking of the waterbody.

Assessment:

The submittal letter accompanying the Batterson Park Pond TMDL report is dated November 30, 2004. The letter specifies that the Batterson Park Pond TMDL report was established as final on November 29, 2004. CTDEP clearly states that the Final TMDL report has been submitted to EPA for approval in accordance with Section 303(d) of the Clean Water Act. The submittal letter along with the attached public notice provide all the required identifying information for Batterson Park Pond.

EPA concludes that the TMDL submittal letter provides all the necessary information.

Data for entry into EPA's National TMDL Tracking System

TMDL Name	A Total Maximum Daily Load Analysis for Batterson Park Pond, Farmington/New Britain, CT
Lead State	CT
TMDL Status	Final
Pollutant ID	total nitrogen (511), total phosphorus (515), algal growth/chlorophyll a (48)
TMDL End Point	4943 kg/yr TN and 222 kg/yr TP
TMDL Type	Non-point Source
List ID (from system)	
Impairment ID	Primary contact recreation
Cycle (list date)	2004
Date (approval)	December 16, 2004
EPA developed	No