

Department of Natural Resources and Environmental Control

Division of Water Resources

Statutory Authority: 7 Delaware Code, Chapter 60

Total Maximum Daily Loads (TMDLs) for Indian River, Indian River Bay, and Rehoboth Bay, Delaware

REGISTER NOTICE

Brief Synopsis of the Subject, Substance, and Issues

The Department of Natural Resources and Environmental Control (DNREC) is proposing to adopt Total Maximum Daily Load (TMDL) Regulations for nitrogen and for phosphorous for the Indian River, Indian River Bay, and Rehoboth Bay. A TMDL sets a limit on the amount of a pollutant that can be discharged into a waterbody and still protect water quality. TMDLs are composed of three components, including Waste Load Allocations (WLAs) for point source discharges, Load Allocations (LAs) for nonpoint sources, and a Margin of Safety (MOS).

Possible Terms of the Agency Action

Following adoption of the proposed Total Maximum Daily Load for the Indian River, Indian River Bay, and Rehoboth Bay, DNREC will develop a Pollution Control Strategy (PCS) to achieve the necessary load reductions. The PCS will identify specific pollution reduction activities and timeframes and will be developed in concert with the Department's ongoing Whole Basin Management Program and the affected public.

Statutory Basis or Legal Authority to Act

The authority to develop a TMDL is provided by Title 7 of the Delaware Code, Chapter 60, and Section 303(d) of the Federal Clean Water Act, 33 U.S.C. 1251 et. seq., as amended.

Other legislation that may be impacted

None

Notice of Public Comment

A public workshop will be held on Wednesday, September 2, 1998, 1:00 to 4:00 p.m., at the Virden Center, University of Delaware College of Marine Studies, Lewes, Delaware.

A public hearing will be held on Wednesday, September 2, 1998, at 6:00 p.m. at the Virden Center, University of Delaware College of Marine Studies, Lewes, Delaware. The hearing record will remain open until 4:30 p.m., September 11, 1998. Please bring written comments to the hearing or send them to Rod Thompson, Hearing Officer, DNREC, 89 Kings Highway, Dover, DE, 19901; facsimile: (302) 739- 6242. All written comments must be received by 4:30 p.m., September 11, 1998. For planning purposes, those individuals wishing to make oral comments at the public hearing are requested to notify Betty Turner, (302-739-4590; facsimile:

(302) 739-6140; email: bturner@state.de.us) by 4:30 p.m., September 1, 1998.

Additional information and supporting technical documents may be obtained from the Watershed Assessment Section, Division of Water Resources, Department of Natural Resources and Environmental Control, 29 South State Street, Dover, DE 19901, (302) 739-4590, facsimile: (302) 739-6140.

Prepared By:

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