

**EXHIBIT “30”**



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

AUG 22 2003

OFFICE OF  
WATER

The Honorable Bart Doyle  
CPR Steering Committee  
Mayor Pro Tem  
City of Sierra Madre  
2175 Cherry Avenue  
Signal Hill, CA 90755

Dear Mayor Doyle:

Thank you for your letter of March 28, 2003, following up on our March 11, 2003 meeting. Your letter requests the Environmental Protection Agency's (EPA) assistance with several aspects of both the Los Angeles Region Basin Plan Review and the Los Angeles County MS4 NPDES permit.

I want to apologize for not responding sooner to your letter. You have raised many important issues for us to look at in more detail. You have asked EPA to support an accelerated review of the Los Angeles Basin Plan as well as participating and helping build consensus in completing the review. EPA staff are working closely with Regional Board staff to develop basin plan amendments and are actively working with stakeholder groups seeking solutions to ongoing water quality problems in the Los Angeles Region.

In addition, you have expressed concern about the need to complete numerous use attainability analyses (UAAs) in order to designate proper water quality standards for small, minor water bodies. You have asked for information on how various EPA Regions have interpreted the Tributary Rule and request guidance from EPA Headquarters to Region 9 and California on this issue. EPA supports the state's effort to identify and adopt appropriate designated uses for the water bodies of concern. However, EPA and state regulations require any change in designated uses to go through the state's water quality standards revision process, including the public participation process. In addition, any change to a designated use that results in a use that is not specified in Clean Water Act section 101(a), must be accompanied by a UAA. This does not automatically mean that detailed case-by-case analyses would be required for each water body. EPA believes that there are several approaches that may be appropriate for conducting analyses to modify designated uses, such as conducting a batch analysis for multiple waters with similar characteristics or conducting simplified analyses, depending on the water body's characteristics and the type and/or source of pollutants. EPA Region 9 is committed to working with the Los Angeles Regional Water Quality Board on any efforts it may undertake to revise water bodies' designated uses.

California and EPA Region 9 are not unique in how they interpret the Tributary Rule. Several other states have similar provisions contained in their water quality standards. Individual states and EPA have generally interpreted these provisions as a mechanism to apply water quality standards where an individual water body's standards, including designated uses, are not explicitly identified.

Your letter also raises issues related to the Los Angeles County MS4 permit. You have requested that EPA clarify to the Regional Board the intent of the receiving waters limitations. The Los Angeles Regional Water Quality Control Board developed a Frequently Asked Questions (FAQ) document to help clarify this and other questions that have been raised about this permit. It is available at [www.swrcb.ca.gov/rwqcb4](http://www.swrcb.ca.gov/rwqcb4). EPA believes this document clarifies the intent of the receiving waters limitations language.

You also ask EPA to provide guidance on the definition of Maximum Extent Practicable (MEP) and to provide examples of its practical application. Congress established MEP but did not provide language defining this standard. EPA envisions MEP as an iterative process that considers such factors as conditions and beneficial uses of receiving waters, MS4 size, climate, implementation schedules, current ability to finance the program, hydrology, geology, and capacity to perform operation and maintenance. EPA understands the importance of providing assistance to help communities implement MEP. We are looking at the information gathered from evaluating many MS4 permits and programs. We hope to use this to provide examples of good storm water programs.

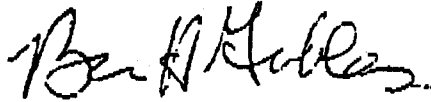
You have raised concerns about implementation of TMDLs through NPDES permits and have asked EPA to provide samples of alternative implementation methods. EPA believes that permits are a critical component of TMDL implementation. In this situation, the LA permit contains a compliance framework that provides flexibility and time for communities to develop cost-effective controls. EPA will continue to work with the Regional Board to make sure that they consider different implementation methods for TMDLs.

Your letter states that the Regional Board is not following EPA's November 2002 memo on establishing TMDL Waste Load Allocations and Stormwater NPDES Permit Requirements. You ask EPA to provide guidance to the Regional Board that supports this memo. EPA worked closely with all ten Regions on this memo and expects that it will be followed by the states. I've asked my staff to follow up with the State and would be happy to discuss this with you further if the Regional Board is not following the memo.

Finally, you request approval of your FY 2003 program funding from this year's appropriation and request additional funding for demonstration projects along the Lower Los Angeles and San Gabriel Rivers. EPA supports the types of demonstration projects that you are proposing, but as you know, we always have requests to fund far more worthy projects than we have funds for. I would be glad to talk with you further about your proposal for additional funding.

Thank you for sharing your concerns on these issues. Please contact me if you wish to discuss any of this further, or have your staff call James A. Hanlon, Director, Office of Wastewater Management, at (202) 564-0748.

Sincerely,

A handwritten signature in black ink, appearing to read "Ben H. Grumbles". The signature is written in a cursive style with a large initial "B" and a long, sweeping underline.

Benjamin H. Grumbles  
Deputy Assistant Administrator