



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

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Mr. John Hanger, Chairperson
Environmental Quality Board
P.O. Box 8477
Harrisburg, PA 17105-8477

NOV 02 2010

Dear Mr. Hanger:

The U. S. Environmental Protection Agency (EPA) has reviewed the proposed rulemaking package which was published for public comment in the Pennsylvania Bulletin on September 18, 2010 (i.e., the Fishing Creek, et.al., package). EPA notes that, if finalized, this package will upgrade 251.35 stream miles in the Commonwealth to Exceptional Value status. We have no comment on these proposed modifications, but we commend the Pennsylvania Department of Environmental Protection (PADEP) in its continuing effort to upgrade streams into its highest level of the Special Protection Waters Program.

EPA will be providing a copy of this package to the U. S. Fish and Wildlife Service (FWS) so that FWS may identify any issues with this action. We will notify PADEP of any issues raised. This coordination with the FWS will fulfill EPA's obligations under the Endangered Species Act, and facilitate EPA's Clean Water Act 303(c) action once this rulemaking is finalized and submitted to EPA for review.

If you have any questions concerning this matter please contact me at (215)814-5452, or have your staff contact Denise Hakowski at (215)814-5726.

Sincerely,

Larry Merrill, Associate Director
Office of Standards, Assessment and
TMDLs
Water Protection Division

cc: Rodney A. Kime (PADEP)

