REGION 1
BOSTON, MA 02109

June 17, 2024

Jason Batchelder, Commissioner
Vermont Department of Environmental Conservation
1 National Life Drive, Main 2
Montpelier VT 05620-3522

Dear Commissioner Batchelder:

Thank you for the Vermont Department of Environmental Conservation's (VTDEC) submittal of the final *Sunnyside Brook Chloride TMDL* on May 20, 2024. We appreciate your efforts and involvement with our office to finalize this TMDL. The U.S. Environmental Protection Agency (EPA) has reviewed the documents titled, "Sunnyside Brook Chloride TMDL, Draft for EPA Submission – May 2024" and "Response to Comments on the Sunnyside Brook Chloride TMDL." It is my pleasure to approve the *Sunnyside Brook Chloride TMDL*. EPA has determined, as set forth in the enclosed review documents, that these TMDL documents meet the requirements of Section 303(d) of the Clean Water Act (CWA) and EPA's implementing regulations at 40 Code of Federal Regulations Part 130.

VTDEC's efforts will help restore water quality and prevent further degradation of these, and hopefully future chloride-impaired waterbody segments in Vermont. My staff and I look forward to continued cooperation with VTDEC in exercising our shared responsibility of implementing the requirements under Section 303(d) of the CWA. If you have any questions regarding this approval, have your staff contact Joseph Bishop at (617) 918-1074.

Sincerely,

/s/

Ken Moraff, Director
Water Division

Enclosure

cc: Tim Clear (tim.clear@vermont.gov)
Bethany Sargent (bethany.sargent@vermont.gov)
Blaine Hastings (blaine.hastings@vermont.gov)
Chris Gianfagna (chris.gianfagna@vermont.gov)
Ivy Mlsna (mlsna.ivy@epa.gov)
Mel Cote (cote.mel@epa.gov)
Joseph Bishop (bishop.joseph@epa.gov)

**EPA Region 1**
**TOTAL MAXIMUM DAILY LOAD (TMDL) REVIEW**

**DATE:** June 17, 2024

**TMDL:** Sunnyside Brook Chloride TMDL, Colchester, Vermont
Waterbody ID: VT08-02.08

**STATUS:** Final

**IMPAIRMENT/POLLUTANT:** Aquatic biota and wildlife that may utilize or are present in the waters (ALS)/Chloride

**BACKGROUND:** The Vermont Department of Environmental Conservation (VT DEC) issued a press release on February 23, 2024, containing the draft Sunnyside Brook Chloride TMDL and announcing a public comment period through March 27, 2024, as well as an informational public meeting to be held in person and virtually on March 13, 2024. The VT DEC submitted to EPA Region 1 the final Sunnyside Brook Chloride TMDL with a transmittal letter dated May 20, 2024. In addition to the Final Chloride TMDL itself, the submittal included, either directly or by reference the following documents:

- Public Meeting Information and Response to Comments (https://dec.vermont.gov/press-release/dec-takes-steps-address-chloride-colchester-stream)
- Applicable Vermont Surface Water Quality Standards (WQS) (https://dec.vermont.gov/watershed/tasc/water-quality-standards)
- Final Vermont List of Priority Surface Waters for the Clean Water Act 2022 Reporting Cycle, including Part A - 303(d) List of Impaired Surface Waters in Need of TMDL (https://dec.vermont.gov/watershed/tasc/assessment-and-listing)

The following review explains how the TMDL submission meets the statutory and regulatory requirements of TMDLs in accordance with § 303(d) of the Clean Water Act and EPA's implementing regulations in 40 CFR Part 130.

**REVIEWERS:** Joseph Bishop (617) 918-1074, e-mail: bishop.joseph@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. Identification 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.*

The TMDL submittal identifies the waterbody and the cause of impairment as it appears on the 2022 303(d) list and the National Hydrography Dataset (NHD), as well as the priority ranking of the waterbody and the link between the pollutant of concern and the applicable Vermont Water Quality Standards (VTWQS). Sunnyside Brook VT08-02.08 (Tributary #8 to Sunderland Brook, 1.2 mi.) is a small tributary of the lower Winooski River basin impaired by chloride and ranked as high priority for TMDL development. Sunnyside Brook drains a watershed of approximately 0.57 square miles in the town of Colchester within Chittenden County, Vermont. The impaired segments are referenced as 04300103004542, and 04300103005082 in the USGS National Hydrography Dataset Plus High-Resolution dataset (published 20200723). The link between chloride and the VTWQS is described on pages 4-5 of the TMDL document and described in more detail in Section 2 below. Unless otherwise noted, subsequent page number identification will always refer to the TMDL document.

The TMDL submittal includes an identification of the point and nonpoint sources of chloride, including location of the source(s) and the quantity of the loading as an annual mass (tons/year) described on pages 21-22. The point sources that are subject to NPDES permits are identified by number on pages 23-24. The TMDL is developed on the conservative assumption that the source of chloride in Sunnyside Brook is almost entirely from deicing salts imported annually into the watershed and applied during the colder months as described on page 18, and so natural background sources were not quantifiably considered.

Additional assumptions made during the development of the TMDL are described on pages 18-19:

(1) the spatial extent of the watershed in which the Sunnyside Brook is located as described above;
(2) the assumed distribution of land use in the watershed as described on page 2, namely that of the 0.57 square miles, 27.1% is wetland and forest while 72.6% is developed to varying degrees with an assumed 88.7 acres or 24.3% of the watershed being impervious surface and receiving the deicing maintenance;
(3) other relevant information affecting the characterization of chloride source allocation is tabulated on page 3 including the relative areas of impervious surface within the developed portion of the watershed, which accounts for 31% of the total drainage area – the majority of impervious surface is classified as "other paved," primarily parking lots, totaling 59.9% of the total impervious cover assumed to be receiving the deicing maintenance;
(4) present or future growth trends were not explicitly described as having been taken into consideration in the TMDL document;
(5) an explanation and analytical basis for expressing the TMDL through a *surrogate measure* is described on page 8 where Vermont's use of specific conductivity as a surrogate measure for chloride is described.

***Assessment:*** EPA Region 1 concludes that the TMDL document meets the requirements for describing the TMDL waterbody segments, pollutants of concern, identifying and characterizing sources of impairment, and priority ranking. Description of present or future growth trends is not necessary for approval.

## 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 which are 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.*

The TMDL submittal includes a description of the applicable VTWQS, including the designated uses of the waterbody, the applicable numeric water quality criterion, and the antidegradation policy on pages 4-5.

- The designated uses for Sunnyside Brook are aquatic biota and wildlife, aquatic habitat, aesthetics, swimming, boating, fishing, public water source, and irrigation. Sunnyside Brook is classified B(2) for all designated uses. The applicable aquatic biota and wildlife use for which Sunnyside Brook is impaired is described in the VTWQS as:

  (A) Management Objectives. Waters shall be managed to achieve and maintain good biological integrity.

(B) Biological Criteria. Change from the natural condition for aquatic macroinvertebrate and fish assemblages not exceeding moderate changes in the relative proportions of taxonomic, functional, tolerant, and intolerant aquatic organisms.

- The applicable numeric water quality criteria given for chloride is 860 mg/L for acute exposures and 230 mg/L for chronic exposures. VTWQS generally state that "Waters shall be managed to prevent the discharge of toxic substances in concentrations, quantities, or combinations that exceed…(iii) Acute or chronic toxicity to aquatic biota or wildlife."

- Lastly, VTWQS Section 29A-105, provides the anti-degradation policy for the protection of existing uses, protection and maintenance of high-quality waters, protection of Outstanding Resource Waters, and the protection of wetlands.

The TMDL submittal identifies a numeric water quality target to measure whether the applicable water quality standard is being attained as is described on pages 17-18. A target Load Duration Curve (LDC) was derived by multiplying each four-day average streamflow of a nine-year modeled dataset by 207 mg/L, or 90% of the chronic water quality standard for chloride. This 10% reduction in target chloride load represents an explicit margin of safety for this TMDL. A line of best fit through observed chloride loads can be used to quantify the percent reduction needed to meet the target load. To customize this approach to a Sunnyside Brook TMDL, a representative Flow Duration Curve (FDC) was developed for Sunnyside Brook. The FDC is translated into an LDC by multiplying each individual streamflow data point (in units of volume/time) by the applicable chloride concentration standard (in units of mass/volume). The numeric chloride criteria from the VTWQS were then applied to determine the target annual chloride load the stream can assimilate while still meeting the criteria, which is described in more detail below in section 3.

***Assessment:*** EPA Region 1 concludes that VTDEC has properly presented the applicable VTWQS and numeric water quality target. EPA agrees that Vermont's use of the LDC to calculate a target annual mass for the TMDL is satisfactory.

## 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.*

The TMDL document identifies the loading capacity of the waterbody for chloride. Using the target chronic concentration of 207 mg/L with Vermont's streamflow dataset, the total mass chloride load for the 10-year period that would meet VTWQS is 1,201.8 tons. Dividing by the number of data points (i.e., days) results in an average target loading of 0.3291 tons/day, multiplied by 365.25 days for a final TMDL of 120.2 tons of chloride per year. This method is described on pages 17-20.

The TMDL submittal describes the method used to establish the cause-and-effect relationship between the chloride sources and impairment on pages 7-11, and expresses the pollutant loading as an annual mass with an explanation of why this is appropriate. An LDC was developed for Sunnyside Brook using the load duration method recommended by EPA (https://www.epa.gov/tmdl/approach-using-load-duration-curves-development-tmdls).

*Critical conditions* for stream flow, loading, and water quality parameters were taken into account and are described on page 16.

***Assessment:*** EPA Region 1 concludes that the loading capacities have been appropriately set at levels necessary to attain and maintain applicable VTWQS for Sunnyside Brook.

## 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.*

The TMDL includes load allocations that identify the portion of the loading capacity attributed to existing and future nonpoint sources, however this contribution was determined to be zero. The

justification for this is on page 21, namely that because it is not technically feasible to distinguish loads among the various sources and accurately separate the allocations into WLAs and LAs, the WLA category includes runoff from non-NPDES regulated point source and nonpoint sources such as residential areas.

***Assessment:*** EPA Region 1 concludes that the recommended zero load allocation is accompanied by a sufficient discussion of the rationale and is adequately specified in the TMDLs at levels necessary to attain and maintain VTWQS.

## 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.*

The TMDL includes wasteload allocations that identify the portion of the loading capacity allocated to individual existing and future point sources. NPDES permits relevant to Sunnyside Brook are listed on pages 23-24. Because of monitoring difficulties resulting from the nature of chloride transport after de-ing activities and stormwater runoff events, it was not technically feasible to separate the allocations for stormwater sources requiring NPDES permits from the allocations for other stormwater nonpoint and non-NPDES regulated point source categories based on land use. Therefore, discharges from stormwater point sources currently not subject to NPDES regulations are also included in the WLA calculations under the category of developed land sources because these are the only areas that receive the anti-icing and de-icing products. As mentioned above in section 4, the WLA calculation also includes nonpoint sources such as residential areas because of the technical infeasibility of teasing these apart into LAs. The overall WLA for Sunnyside Brook is 122.5 tons of chloride per year.

**TMDL Table 5. DISTRIBUTION OF WASTELOAD ALLOCATION AMONG DE-ICED SURFACES**

| Impervious Surface Type | Area (acres) | Area (% of de-iced surfaces) | Chloride – as % of total de-iced area (tons/yr) | NaCl Equivalent of chloride (tons/yr) |
|---|---|---|---|---|
| **All Roads** | **20.9** | **24** | **28.9** | **47.5** |
| *State roads* | 11.5 | 13 | 15.9 | 26.2 |
| *Municipal roads* | *6.3* | *7* | *8.7* | *14.3* |
| *Private roads* | *0.5* | *1* | *0.7* | *1.1* |
| *US Army road* | *2.6* | *3* | *3.6* | *5.9* |
| ***Other Paved*** | ***67.8*** | ***76*** | **93.6** | **154.3** |
| ***Total*** | ***88.7*** | ***100*** | **122.5** | **201.8** |

***Assessment*:** EPA Region 1 concludes that VTDEC has appropriately set the WLAs based on the relative proportion of de-iced surfaces as shown in Table 5.

## 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.*

The TMDL includes an explicit margin of safety (MOS) to account for a presumed lack of knowledge concerning the relationship between load and wasteload allocations and water quality described on page 21. The MOS is an explicit 10% reduction in the estimated loading capacity. When developing the target LDC for Sunnyside Brook, 90% of the chronic chloride criterion, 207 mg/L, was used rather than the actual criterion of 230 mg/L, which effectively lowers the allocated chloride loading target and reserves 10% of the load as MOS. As an annual mass of chloride, this equates to 13.4 tons/yr.

***Assessment*:** EPA Region 1 concludes that VTDEC has provided an adequate implicit MOS for this TMDL.

## 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)).*

The TMDL was established with consideration of seasonal variations as described on page 16. The duration curve method used is useful for identifying the patterns in water quality associated with seasonality. Spring flows in Vermont are generally higher and result in generally lower chloride concentrations; however, acute exceedances still occur in spring. More exceedances were observed in the typically lower summer and fall flows, though there were several days with higher streamflow and chloride concentrations less than 860 mg/L.

***Assessment:*** EPA Region 1 concludes that seasonal variation has been adequately accounted for in the development of this TMDL because of the implicit relationship between chloride exceedances, low flow and seasonality.

## 8. 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."*

Because the load allocation for this TMDL is zero and there is no assumption that the WLA is dependent on reductions associated with the nonpoint source LA occuring, no reasonable assurance is needed.

***Assessment:*** Based on the components described above, EPA concludes that the TMDL does not require reasonable assurances.

## 9. Monitoring Plan

*EPA's 1991 document, Guidance for Water Quality-Based Decisions: The TMDL Process (EPA 440/4-91-001), and EPA's 2006 guidance, Clarification Regarding "Phased" Total Maximum Daily Loads, recommend a monitoring plan when a TMDL is developed using the phased approach. The guidance indicates that a State may use the phased approach for situations where TMDLs need to be developed despite significant data uncertainty and where the State expects that the loading capacity and allocation scheme will be revised in the near future. EPA's guidance provides that a TMDL developed under the phased approach should include, in addition to the other TMDL elements, a monitoring plan that describes the additional data to be collected, and a scheduled timeframe for revision of the TMDL.*

As mentioned above, the load allocation for this TMDL is zero and there is no assumption that the WLA is dependent on reductions associated with the nonpoint source LA occuring, so a monitoring plan is not required. The TMDL describes on page 25 that when a chloride reduction strategy is developed and implemented in the watershed, a robust monitoring plan can then be developed to track resultant conditions in the stream.

***Assessment:*** EPA Region 1 concludes that the monitoring plan components referenced above are sufficient for approval of the TMDL.

## 10. Implementation

*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.*

TMDL implementation details are described on page 23. VTDEC envisions the solution to the significant impacts of chloride on surface waters will be through source reduction actions rather than by runoff treatment via infrastructure investments. At the time of this TMDL development, no new mandatory chloride control measures or permits are proposed. As with other TMDLs in Vermont, loading targets are first set before the appropriate remediation/implementation measures can be sought. On page 24, the TMDL discusses implantation gaps, chloride application accounting, and reduction strategies.

***Assessment:*** Addressed, though not required. EPA is taking no action on the implementation plan.

## 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*.

Vermont conducted full and meaningful public participation in the TMDL development process as outlined on page 25. On February 23, 2024, the VTDEC released the final draft of the Sunnyside Brook Chloride TMDL document for public comment. The public comment period ended on March 27, 2024. During the public comment period, an informational public meeting (in-person and online) was held on March 13, 2024, in Colchester, Vermont. As part of Vermont's final submittal to EPA a response to comments document was provided.

***Assessment:*** EPA Region 1 concludes that VTDEC provided adequate opportunities for the public to comment on the TMDL and provided appropriate responses to the comments received.

## 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 water body, the pollutant(s) of concern, and the priority ranking of the water body.*

***Assessment:*** VTDEC's letter of dated May 20, 2024, stated that the TMDL is being formally transmitted for EPA approval.

| | Data for entry in EPA's National TMDL Tracking System | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| **TMDL Name** | | | **Sunnyside Brook Chloride TMDL** | | | | | | |
| Number of TMDLs, Protection Plans and/or Advance Restoration Plan* | | | 1 | | | | | | |
| Type of TMDLs | | | Chloride | | | | | | |
| Number of listed causes/parameters (from 303(d) list) | | | 1 | | | | | | |
| Lead State | | | Vermont | | | | | | |
| TMDL Status | | | Approved | | | | | | |
| | **Individual TMDLs listed below** | | | | | | | | |
| Action ID# | Segment name | Segment ID # | TMDL, Protection Plan, OR Alternative* | Pollutant name | Impairment PARAMETERS/Cause name | Pollutant endpoint | Unlisted? | MA DEP Point Source & ID# | Listed for anything else? |
| R1_VT_2024_01 | Sunnyside Brook (Trib. #8 to Sunderland Brook) (1.2mi.) | VT08-02.08 | TMDL | Chloride | Chloride/Urban Runoff/Storm Sewers | | Listed | N/A | No |
| Point and/or Nonpoint Sources? | | | PS | | | | | | |
| Establishment Date (approval)* | | | 6/17/2024 | | | | | | |
| Completion (final submission) Date | | | 5/20/2024 | | | | | | |
| Public Notice Date | | | 2/23/2024 | | | | | | |
| EPA Developed? | | | No | | | | | | |
| Towns affected* (in alphabetical order) | | | Colchester, VT | | | | | | |

*Abbreviations: TMDL = TMDL; Protection Plan = PP; Advance Restoration Approach = Adv

**Where XX = State abbreviation, yyyy = year of approval, xx = sequential per year (e.g., first TMDL submission is 01), z = p if protection plan, z = a if advanced restoration plan