



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
GREAT LAKES NATIONAL PROGRAM OFFICE (G-17J)
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

July 27, 2005

Joseph P. Koncelik, Director
Ohio Environmental Protection Agency
P.O. Box 1049
Columbus, OH 43216-1049

Kenneth G. Pearce, Chairman
Black River RAP Coordinating Committee
Lorain County General Health District
9880 South Murray Ridge Road
Elyria, Ohio 44035

Dear Messrs. Koncelik and Pearce:

This letter is the U.S. Environmental Protection Agency's (EPA) official response to your request for the delisting of the Degradation of Benthos Beneficial Use Impairment in the East Branch of the Black River, Ohio Area of Concern (AOC). As your request points out, and the supplied data support, improved management and upgrades to wastewater treatment and collection facilities have allowed the benthic macro-invertebrate communities in the East Branch to fully recover from previous impacts to water and habitat quality.

EPA staff familiar with the State of Ohio's Invertebrate Community Index reviewed the supporting data as supplied by you and concluded:

"The sources of the impairment were identified as the Grafton wastewater treatment facility and sewer overflows in the collection system for the City of Elyria. Both of those problems were addressed and the stream responded to the point where it is exceeding attainment of the goal of Warmwater Habitat established by the Remedial Action Plan delisting guideline and measured by the Invertebrate Community Index. Given that it appears that OEPA has followed their methods for assessing use attainment and we support this program, I recommend supporting their request for delisting." (Ed Hammer, USEPA Region 5 Water Quality Branch)

EPA also posted your request on the GLIN-Announce List Server to offer the Great Lakes community a chance to comment on your proposal. The comment period ran from May 31, 2005 to June 24, 2005. No comments were received.

Based upon this review and the supporting data, and upon our shared desire to show progress as we move all of the Great Lakes Areas of Concern toward restoration of all beneficial use impairments and formal delisting, EPA approves your request for the delisting of the Degradation of Benthos Beneficial Use Impairment in the East Branch of the Black River AOC. EPA will notify the International Joint Commission of this significant positive change in the environmental health of the Black River AOC.

We congratulate all of the parties involved in this Federal/State/local partnership which has been instrumental in achieving this important environmental improvement that will benefit the citizens of the Black River AOC, the State of Ohio, and of the Great Lakes Basin. We look forward to the continuation of this important and productive relationship with OEPA and the local coordinating committees as we work together to fully restore all of Ohio's AOCs.

If I or my staff can be of further service to you, please do not hesitate to contact me.

Very truly yours,

/s/ Original signed by Gary V. Gulezian for

Thomas V. Skinner
Great Lakes National Program Manager

Ccs: Representative Marcy Kaptur
Representative Sherrod Brown
Gary V. Gulezian, Director, USEPA-GLNPO
Ted Conlin, Black River RAP Coordinator, Ohio EPA
AnneMarie Vincent, Black River RAP Liaison, USEPA Region 5
Ed Hammer, USEPA Region 5
Mark Elster, RAP Coordinator, USEPA-GLNPO
Pete Christich, USEPA-Office of International Activities