Message

**From**: Townley, Lauren A (DEC) [Lauren.Townley@dec.ny.gov]
**Sent**: 12/8/2017 9:38:41 PM
**To**: Power, Lucinda [power.lucinda@epa.gov]
**CC**: Kosinski, Kenneth A (DEC) [kenneth.kosinski@dec.ny.gov]
**Subject**: RE: For Review: Revised Partnership Review of Draft Phase III WIP Planning Targets
**Attachments**: Partnership Review of the Draft Phase III WIP Planning Targets_v12.4.17_NY comments.....docx

Hi Lucinda,

Please see attached New York's comments on the partnership review of the draft planning targets.

Overall, we are concerned with the approval process of the special cases. It was our understanding that EPA would determine the amount of additional loading was available and that EPA would use their discretionary authority to assign that load to NY and WV, as was done with the original TMDL. We thought that the Partnership would then approve of how the special cases would be adjusted through the other state's allocations, but that the Partnership would not be approving the special cases themselves. We would like a better understanding as to why special cases would be approved by the Partnership (at the PSC level) and why this is not an EPA decision.

In addition, New York would like to see the analysis of the level of effort between Phase II and the level of effort needed to meet the new Phase III WIP planning targets before the PSC meeting. We will not approve the release of the draft targets without prior review of our level of effort.

Thanks and let me know if you need to discuss further.

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**Subject:** For Review: Revised Partnership Review of Draft Phase III WIP Planning Targets
**Importance:** High

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Water Quality GIT,

Per discussions and feedback received during today's WQGIT meeting, please see attached a revised version (both in Word and .pdf) of the document outlining the Partnership review of the Draft Phase III WIP Planning Targets.

Feedback on the revised draft document is requested by **no later than COB Friday, December 8th** and should be sent via email to Lucinda Power (power.lucinda@epa.gov). The WQGIT will be asked to make a final decision during their December 11th conference call; if consensus on a recommendation cannot be reached, the document will go to the PSC without WQGIT recommendation.

Please email Lucinda Power with any questions.
Best,
Lindsey Gordon
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