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January 31, 2020

VIA FOIA ONLINE

Regional Freedom of Information Officer
U.S. EPA, Region 1 (OARM01-6)
5 Post Office Square, Suite 100
Boston, MA 02109-3912
Facsimile: (617) 918-1102
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RE: FOIA Request Regarding Applicability of Latimer and Cole etc. Papers to Great Bay Estuary

To Whom This May Concern:

This is a request for public records pursuant to the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552, as implemented by the Environmental Protection Agency (“EPA”) at 40 C.F.R. Part 2.

Background

EPA has indicated in various meetings and correspondence that the Great Bay Estuary is impaired by nitrogen and those nitrogen levels are precluding the restoration of eelgrass beds to historical levels. EPA has also stated that the maximum TN load to the system cannot exceed 100 kg-TN/ha-year as such loading precludes eelgrass presence in estuarine embayment. *See*, draft General Permit issued January 2020.

Request

This request seeks:

- Any analysis prepared by EPA or DES that evaluated whether the hydrodynamic and other physical characteristics of Great Bay Estuary are similar to the systems studied by authors Valiela, Cole, and Latimer in the papers cited in EPA’s General Permit Fact Sheet.
- Any EPA records identifying the forms and sources of nitrogen used to estimate system nitrogen loadings in the charts developed by Valiela, Cole, and Latimer cited in EPA’s General Permit Fact Sheet.

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- Any records used to develop the General Permit effluent limitations in concluding that TN must be limited on an annual and not growing season basis to protect eelgrasses in the Great Bay system

This request only seeks existing agency records and does not ask for the agency to conduct any new analysis or develop new records.

Please contact the undersigned if the associated search and duplication costs are anticipated to exceed \$100.00. If the requested documents are withheld based upon any asserted privilege, please identify the basis for the non-disclosure.

If you have any questions regarding this request, please do not hesitate to contact this office so as to ensure that only the necessary documents are duplicated.

Respectfully,

//s// Erin Thomas

Erin Thomas