

WILLIAM J. SCHNEIDER
ATTORNEY GENERAL



REGIONAL OFFICES:
84 HARLOW ST., 2ND FLOOR
BANGOR, MAINE 04401
TEL: (207) 941-3070
FAX: (207) 941-3075

415 CONGRESS ST., STE. 301
PORTLAND, MAINE 04101
TEL: (207) 822-0260
FAX: (207) 822-0259

14 ACCESS HIGHWAY, STE. 1
CARIBOU, MAINE, 04736
TEL: (207) 496-3792
FAX: (207) 496-3291

TEL: (207) 626-8800
TTY: 1-800-577-6690

STATE OF MAINE
OFFICE OF THE ATTORNEY GENERAL
6 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0006

July 8, 2011

Ann H. Williams
Senior Assistant Regional Counsel
U.S. EPA, Region I
One Congress St., Suite 110 (RAA)
Boston, MA 02114

Re: **P.L. 2011, c. 206 (LD 1398)**

Dear Ann:

At MEDEP's request, I am writing to certify that P.L. 2011, c. 206 (LD 1398), "An Act to Amend the Laws Administered by the Department of Environmental Protection," was duly adopted pursuant to State law and became effective on June 3, 2011. This law, among other things, corrects and clarifies an error in the classification law as it pertains to the lower Kennebec River.

To the extent EPA considers the portion of P.L. 2011, c. 206 that clarifies the classification of the small strip of water on the north side of Popham State Park and Fort Popham to be a substantive upgrade to Class SA, MEDEP has asked for EPA's approval of this upgrade. That change is codified at 38 M.R.S.A. § 469(5)(B)(3).

MEDEP has not asked for, nor does it need, EPA approval of any other aspect of P.L. 2011, c. 206 as the remaining clarifying language in that law constitutes a nonsubstantive correction to an error in the classification law that does not require EPA approval. This nonsubstantive correction is codified at 38 M.R.S.A. § 469(5)(B)(1).

Pursuant to 40 CFR 131.21, we look forward to EPA's review and approval of the portion of P.L. 2011, c. 206 that clarifies the classification of the small strip of water on the north side of Popham State Park and Fort Popham as Class SA, if such review and approval is considered necessary. If I can be of further assistance, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Gerald D. Reid".

Gerald D. Reid
Assistant Attorney General
Chief, Natural Resources Division