



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 7
901 NORTH 5TH STREET
KANSAS CITY, KANSAS 66101

MAR 24 2010

Mr. Scott Totten, Acting Director
Water Protection Program
Water Protection and Soil Conservation Division
Missouri Department of Natural Resources
P. O. Box 176
Jefferson City, Missouri 65102

Re: Approval of Big River, Flat River Creek, and Shaw Branch TMDL

Dear Mr. Totten:

This letter responds to the Missouri Department of Natural Resources (MDNR) submission of a Total Maximum Daily Load (TMDL) document which contained TMDLs for lead, non-volatile suspended solids (NVSS) and zinc for Big River, Flat River Creek, and Shaw Branch. The document was originally received by the U. S. Environmental Protection Agency (EPA), Region 7, on October 1, 2008. Revisions were made to the original submittal and the final version was resubmitted on February 10, 2010.

MDNR submitted a TMDL document for Big River, Flat River Creek, and Shaw Branch which were identified on the 2008 Missouri § 303(d) List as impaired. This submission fulfills the Clean Water Act statutory requirement to develop TMDLs for impairments listed on a state's § 303(d) List. The specific impairments (water body segments and pollutants) are:

Table with 3 columns: Water Body Name, WBID, and Pollutant. Rows include Big River, Flat River Creek, and Shaw Branch with their respective WBIDs and pollutants.

EPA has completed its review of the TMDL document with supporting documentation and information. By this letter, EPA approves the submitted TMDLs. Enclosed with this letter is the EPA Region 7 TMDL Decision Document summarizing the rationale for EPA's approval of these TMDLs. EPA believes the separate elements of the TMDLs described in the enclosed form adequately address the pollutant of concern, taking into consideration seasonal variation and a margin of safety. Although EPA does not approve the monitoring plan submitted by the state, EPA acknowledges the state's efforts. EPA understands that the state may use the

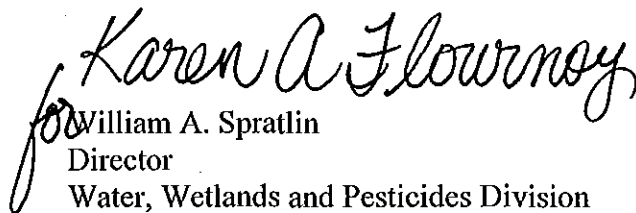


monitoring plan to gauge the effectiveness of the TMDLs and determine if future revisions are necessary or appropriate to meet applicable water quality standards.

EPA is currently in consultation under Section 7 of the Endangered Species Act with the U. S. Fish and Wildlife Service regarding these TMDLs. While we are approving these TMDLs at the present time, we may decide that changes to the TMDLs are warranted based upon the results of the consultation when it is completed.

We appreciate the thoughtful effort that MDNR has put into these TMDLs. We will continue to cooperate with and assist, as appropriate, in future efforts by MDNR to develop remaining TMDLs.

Sincerely,

  
for William A. Spratlin  
Director  
Water, Wetlands and Pesticides Division

Enclosures

cc: Mr. John Hoke  
Missouri Department of Natural Resources

Mr. Paul Sanford  
American Canoe/Kayak Association

Mr. Scott Dye  
Sierra Club

Mr. John Simpson  
KS Natural Resource Council