



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

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

NOV 30 2005

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

Dear Mr. Galbraith:

Re: Approval of Brushy Creek TMDL

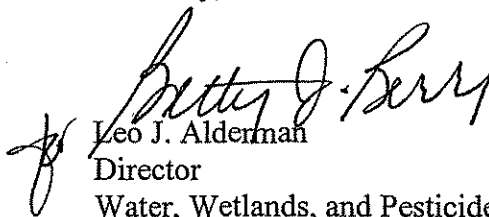
This letter responds to the Missouri Department of Natural Resources (MDNR) submission on October 31, 2005, of a document addressing three Total Maximum Daily Loads (TMDLs). These TMDLs address the warm water aquatic life impairment in Brushy Creek, water body identification 1592, for the pollutants biological oxygen demand and volatile suspended solids as identified on the 2002 Missouri §303(d) list; a TMDL wasteload allocation for ammonia was also developed. These impairments are a result of the current Houston domestic wastewater treatment plant (WWTP) effluent discharge.

The Environmental Protection Agency (EPA) has completed its review of this TMDL document with supporting documentation and information. By this letter, EPA approves the submitted TMDL document including the wasteload allocations established for the Houston WWTP and the load allocation. Enclosed with this letter is an EPA Region 7 TMDL Review Form which summarizes the rationale for EPA's approval of the TMDL document. The EPA believes the separate elements of the TMDL described in the enclosed form adequately address the pollutants of concern through assessment of the loading capacity, consideration of seasonal variation, and a margin of safety.

Under Section 7 of the Endangered Species Act, EPA is currently consulting with the U.S. Fish and Wildlife Service regarding this TMDL. While EPA is approving this TMDL, we may decide in the future that changes to the TMDL are warranted based upon the results of the consultation.

We appreciate the thoughtful effort that MDNR has put into this TMDL. EPA will continue to cooperate and assist MDNR in developing future TMDLs. If you have any questions, please contact Ann Lavaty, of my staff, at (913)551-7370.

Sincerely,


Leo J. Alderman
Director
Water, Wetlands, and Pesticides Division

Enclosure