



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

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

AUG 13 2003

Mr. Jim Hull, Director
Water Pollution Control Program
Water Protection and Soil Conservation Division
Missouri Department of Natural Resources
P.O. Box 176
Jefferson City, Missouri 65102

Dear Mr. Hull:

Re: Approval of Davis Creek TMDL

This letter responds to the submission from the Missouri Department of Natural Resources (MDNR) dated June 18, 2003, of the Davis Creek Total Maximum Daily Load (TMDL) document which contains TMDLs for BOD and ammonia. Davis Creek was identified on the 1998 Missouri §303(d) list as impaired as a result of low dissolved oxygen. BOD and ammonia are allocated in the TMDL document to address this impairment.

The Environmental Protection Agency (EPA) has completed its review of these two TMDLs with supporting documentation and information. By this letter, EPA approves the submitted TMDLs for Davis Creek. Enclosed with this letter is a Region 7 TMDL Review Form which summarizes the rationale for EPA's approval of the TMDLs. The EPA believes the separate elements of the TMDLs described in the enclosed form adequately address the pollutants of concern, taking into consideration seasonal variation and a margin of safety.

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 EPA is approving these TMDLs at the present time, EPA may decide that changes to the TMDLs are warranted based upon the results of the consultation when it is completed.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Leo J. Alderman", written over a circular stamp or seal.

Leo J. Alderman
Director

Water, Wetlands, and Pesticides Division

Enclosure

cc: Sharon Clifford, TMDL Coordinator, WPCP, MDNR, Jefferson City, MO