



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

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

DEC 23 2010

Mr. John Madras  
Director, Water Protection Program  
Water Protection and Soil Conservation Division  
Missouri Department of Natural Resources  
1101 Riverside Drive  
Jefferson City, Missouri 65101

Dear Mr. Madras:

Re: Approval of Tributary to Pond Creek TMDLs

This letter responds to the Missouri Department of Natural Resources (MDNR) submission of a Total Maximum Daily Load (TMDL) document which contains cadmium, lead and zinc in sediment (S), dissolved cadmium, lead and zinc and inorganic sediment TMDLs for Tributary to Pond Creek segment 2128. The document was originally received by the United States Environmental Protection Agency (EPA), Region 7, on August 3, 2010. Revisions were made to the original submittal and the final version was resubmitted on December 20, 2010.

Tributary to Pond Creek was identified on the EPA-approved 2008 Missouri § 303(d) List as impaired for inorganic sediment. 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 segment and pollutants) are:

<u>Water Body Name</u>	<u>WBID</u>	<u>Pollutants</u>
Tributary to Pond Creek	MO_2128	cadmium (S), lead (S) and zinc (S); dissolved cadmium, dissolved lead and dissolved zinc; and inorganic sediment

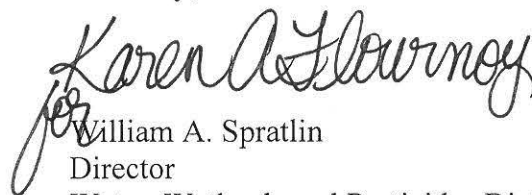
EPA has completed its review of the TMDL document with supporting documentation and information. By this letter, EPA approves the submitted TMDLs. Enclosed with this letter is the EPA Region 7 TMDL Decision Document summarizing the rationale for EPA's approval of the TMDLs. EPA believes the separate elements of the TMDL document, described in the enclosed form adequately address the pollutants 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 TMDL document 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 United States Fish and Wildlife Service regarding the Tributary to Pond Creek TMDLs. While we are approving these TMDLs at the present time, we may decide that changes to the TMDL document 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 TMDLs.

Sincerely,

A handwritten signature in black ink, appearing to read "Karen A. Flournoy". The signature is written in a cursive style and is positioned above the typed name of the sender.

William A. Spratlin  
Director  
Water, Wetlands and Pesticides Division

Enclosure

cc: Mr. John Hoke  
Missouri Department of Natural Resources

Mr. Gerald Babao  
American Canoe Association

Mr. Paul Sanford  
American Canoe Association

Mr. Scott Dye  
Sierra Club

Mr. John Simpson  
KS Natural Resource Council