

PUBLIC NOTICE

U.S. Environmental Protection Agency, Region 7
Water, Wetlands and Pesticides Division
901 North 5th Street
Kansas City, Kansas 66101

NOTICE OF AVAILABILITY
DRAFT TOTAL MAXIMUM DAILY LOAD (TMDL)
FOR WEST FORK NIANGUA RIVER, IN THE STATE OF MISSOURI

Section 303(d) of the Clean Water Act (CWA), 33 USC § 1313(d)(1)(C), and the U.S. Environmental Protection Agency's (EPA) implementing regulation, 40 CFR § 130.7(c)(1), require the establishment of TMDLs for waters identified as not meeting water quality standards (WQS) under authority of Section 303(d)(1)(A) of the CWA. TMDLs are established at a level necessary to implement applicable WQS with seasonal variations and a margin of safety that accounts for lack of knowledge concerning the relationship between pollutant loading and water quality.

EPA is establishing this TMDL to meet the milestones of 2001 Consent Decree, *American Canoe Association, et al. v. EPA*, No. 98-1195-CV-W in consolidation with No. 98-4282-CV-W, February 27, 2001, and in partnership with the state of Missouri. However, Missouri may submit and EPA may approve other TMDLs for this water segment at any time.

This draft TMDL addresses impaired sections of the West Fork Niangua River, identification number MO_1175. The West Fork Niangua River is a rural water body that flows north through Webster County, Missouri, joining with the East Fork Niangua River to form the Niangua River, which is a tributary of the Osage River. The impaired section is seven miles long. The West Fork Niangua River is on Missouri's 303(d) Impaired Waters List because of low levels of dissolved oxygen that impair the designated use of Protection of Warm Water Aquatic Life. The low dissolved oxygen is attributable to runoff or drainage from agricultural land dominating the watershed and permitted point sources from municipal facilities, such as the Marshfield Wastewater Treatment Plant. Contributing nonpoint sources could also include runoff from urban areas and failing onsite wastewater systems. To address the West Fork Niangua River's water quality deficiencies, which can also be manifested in low scores for habitat bioassessment indicators, the TMDL targets the contributors of low dissolved oxygen levels, such as elevated total nitrogen, total phosphorus and total suspended solids. This comment period ends on November 15, 2010.

Persons wishing to comment on this proposed TMDL or offer new data or information regarding the proposed TMDL are invited to send comments to the EPA, Region 7, Water, Wetlands and Pesticides Division, 901 North 5th Street, Kansas City, Kansas 66101, ATTENTION: Ms. Debby White, Water Quality Management Branch, West Fork Niangua River. Comments may also be sent to R7TMDL@EPA.GOV or via FAX at 913-551-9886.

A copy of the proposed TMDL can be obtained through the Internet at the following Web address: http://www.epa.gov/region07/water/tmdl_public_notice.htm. Request a copy of the TMDL via email at R7TMDL@EPA.GOV or via FAX at 913-551-9886.

/s/
William A. Spratlin
Director
Water, Wetlands and Pesticides Division
EPA, Region 7

10/12/10
Date