



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

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

SEP 28 2007

Mr. Michael J. Linder, Director
Nebraska Department of Environmental Quality
Suite 400, The Atrium
1200 N. Street
PO Box 98922
Lincoln, Nebraska 68509-8922

Dear Mr. Linder:

RE: Nebraska TMDL submittals

This letter responds to the submission from Nebraska Department of Environmental Quality (NDEQ) on June 26, 2007, of eight final Total Maximum Daily Load (TMDL) documents. This submittal fulfills the Clean Water Act statutory requirement to develop TMDLs for those waters listed on the Nebraska §303(d) list. Specifically, these eight documents, representing their water bodies and impairments, were addressed:

- Carter Lake – Algae and Turbidity.
- Antelope Creek – Ammonia and E. coli.
- Lake Ogallala – Dissolved Oxygen.
- Fremont #20 – Algal Toxins.
- Lower Platte River Basin – E. coli.
- Shell Creek – Atrazine.
- Middle Creek – Atrazine.
- Nemaha River Basin – E. coli and Atrazine.

The United States Environmental Protection Agency (EPA), Region 7, reviewed each of the eight TMDL submittals. EPA has completed its review of the TMDLs for which NDEQ has completed revisions, supporting documentation and information, and by this letter EPA approves the TMDL documents submitted.

Region 7 TMDL review forms are enclosed with this letter which summarizes the rationale for EPA's approval for each approved TMDL document. EPA believes the separate elements of the TMDLs described in the review forms adequately address the pollutants of concern, taking into consideration seasonal variation and a margin of safety.

EPA has engaged in consultation under Section 7 of the Endangered Species Act with the United States 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 commends NDEQ on its efforts to submit these TMDLs. We appreciate the thoughtful teamwork and partnering effort that Nebraska has put forth in the development of these TMDLs. We will continue to cooperate and assist, as appropriate, in future efforts by Nebraska to develop TMDLs.

Sincerely,



William A. Spratlin
Director
Water, Wetlands and Pesticides Division

Enclosures

cc: Patrick O'Brien
NDEQ