



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

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

To: Phil Schroeder

SEP 25 2006

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2006 SEP 22 PM 12:34  
WATER PROTECTION PROGRAM

Edward Galbraith, 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. Galbraith:

Re: Mussel Fork Creek Total Maximum Daily Load (TMDL)  
Waterbody Identification MO\_674

On behalf of the U.S. Environmental Protection Agency (EPA), I am hereby transmitting EPA's TMDL for Mussel Fork Creek in Linn County, Missouri, established September 25, 2006. EPA is establishing this TMDL pursuant to EPA commitments under a 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). EPA is establishing this TMDL as part of the December 31, 2006, consent decree deadline.

Waterbody	Waterbody ID	Listed Pollutant	TMDL Pollutant
Mussel Fork Creek	MO_674	Sediment	Sediment

This TMDL for sediment is being established in accordance with Section 303(d) of the Clean Water Act, because the State of Missouri determined on the 1998 and 2002 303(d) lists of impaired waters that the water quality standards (WQS) for Mussel Fork Creek were exceeded due to sediment. EPA public noticed this document from August 18, 2006, to September 18, 2006, and two comments were received. The Summary of Response to Comments is enclosed.

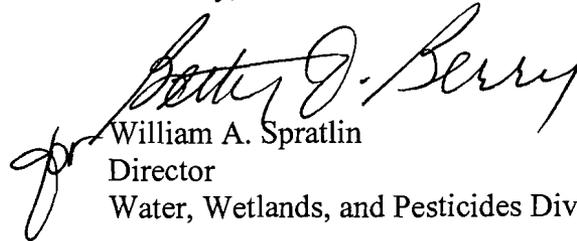
I want to thank the staff of the Missouri Department of Natural Resources for their assistance in preparing this TMDL. Federal regulation, 40 CFR 130.6(c)(1), requires the state to incorporate this TMDL, along with appropriate implementation measures, into Water Quality Management Plan. To assist in planning implementation and follow-up monitoring efforts, the TMDL document includes monitoring recommendations. These recommendations are not part of the TMDL decisions being made by EPA at this time and we understand that the state is responsible for developing implementation plans necessary to attain TMDLs.

If the State of Missouri considers adoption of a new TMDL for this waterbody, the state may adopt the TMDL identified in this decision or further assess this pollutant and adopt a different TMDL if warranted. If the state adopts and EPA approves a TMDL which is different from the TMDL established today, the state adopted TMDL would supersede the EPA established TMDL.



If you have any questions regarding these TMDL, please do not hesitate to call Jack Generaux, of my staff, at (913)551-7690.

Sincerely,

  
William A. Spratlin  
Director  
Water, Wetlands, and Pesticides Division

Enclosure

cc: Anne Peery  
Acting TMDL Coordinator

Phil Schroeder  
Missouri Department of Natural Resources

Scott Dye  
Sierra Club

Paul Sanford  
American Canoe Association

Gerald Babao  
American Canoe Association

John Simpson  
KS Natural Resources Council