



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY **RECEIVED**

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

FEB 07 2001

WPCP

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Mr. David Bookbinder  
American Canoe Association  
7432 Alban Station Boulevard  
Suite B-232  
Springfield, Virginia 22150

Mr. George Van Cleve  
Van Cleve & Associates  
Attorneys at Law  
1155 Connecticut Avenue, N.W.  
Washington, D.C. 20036

Mr. John M. Simpson  
4937 Wyoming Street  
Kansas City, Missouri 64112

RE: American Canoe Association v. EPA, Case No 98-1195-CV-W-SOW,  
Cons. with 98-4282-CV-W-SOW

Dear Gentlemen:

As you know, the Consent Decree filed with the court on August 21, 2000 has not yet been entered by the court. However, the Environmental Protection Agency and the State of Missouri have been working to further implement the State's Section 303(d) program and we are writing to share with you that progress. While annual reports are not yet required pursuant to the Consent Decree and Settlement Agreement, we are providing you with the information we committed to provide in those agreements.

**EPA established TMDLs.**

EPA has not established any TMDLs for waterbodies or associated pollutants for Missouri during this time period.

**Waterbodies or pollutants determined not to need TMDLs.**

No waterbodies or associated pollutants on Missouri's 1998 Section 303(d) List have been determined not to need TMDLs.

**Waterbodies which have previously approved or established TMDLs where water quality standards have been met.**

Missouri has not provided to EPA a list of Missouri waters for which EPA has previously approved TMDLs where the applicable water quality standards are now being met.

**Waterbodies and associated pollutants where TMDLs were established by Missouri and which EPA has approved.**

<b>WBID</b>	<b>Waterbody Name<sup>1</sup></b>	<b>Pollutants<sup>1</sup></b>	<b>Received</b>	<b>Approved</b>
0942	North Moreau Creek	NFR	11/30/99	Yes
0278	Rush Creek	BOD/ NFR	11/17/99	Yes
2859	Saline Creek	Nickel	11/24/99	Yes
2860	Goose Creek	Nickel	11/24/99	Yes
1714	Rock Creek	BOD, NH3	11/24/99	Yes
3239	Clear Creek	BOD, NFR, NH3	11/30/99	Yes
2604	Eleven Point River	Chlorine	12/05/00	Yes
2190	Saline Creek	BOD, NH3	12/14/00	Yes
0737	Cedar Creek	pH, Sulfate	01/02/01	Yes
3490	Trib. To Little Muddy Creek	Temperature	12/05/00	Yes
0856	Little Muddy Creek	Temperature	12/05/00	Yes
0912	Davis Creek	BOD, NH3	01/02/01	Yes
2582	Howell Creek	Chlorine	01/02/01	Yes
2614	Piney Creek	Chlorine	01/02/01	Yes

Missouri has established and submitted to EPA 20 TMDLs for 14 waterbody segments. All of the submitted TMDLs have been approved by EPA as of January 31, 2001.

**Section 303(d) List**

EPA has contacted the States of Iowa, Nebraska, Kansas, Illinois, Kentucky, Tennessee, and Arkansas ("the boundary States") to confirm our compilation of Missouri and Mississippi River segments on the 1998 Section 303(d) lists for these states, and to confirm or provide data and information they used to place such segments on their approved 1998 Section 303(d) list. To date, EPA has received responses from Kansas, Nebraska, Tennessee, and Kentucky.

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<sup>1</sup> The waterbody names and/or pollutants may not exactly match the approved 1998 Section 303(d) list because the State, as a result of information obtained when establishing particular TMDLs, has made clarification or slight corrections to the 1998 Section 303(d) list information within the TMDL. This information was shared with the public during the State's public notice and comment period on the particular TMDL.

**Future Actions**

Missouri public noticed the TMDL document for the James River (WBID #2347, 2362, 2365) for nutrients on January 19, 2001, and the date for submission of the final TMDL document has been moved to no later than the end of March, 2001. We are continuing to work closely with Missouri to meet this deadline.

Additionally, EPA will continue to compile the responses and data and information received from the boundary States and will be transmitting that information to Missouri no later than April 15, 2001.

We hope this information proves useful. We look forward to working further with you and your clients on the Section 303(d) program in Missouri. Please feel free to contact Cheryl Crisler of my staff at 913-551-7820 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "U. Gale Hutton". The signature is fluid and cursive, with a long horizontal stroke at the end.

U. Gale Hutton  
Director  
Water, Wetlands, and Pesticides Division

cc: Jim Curtin, Office of General Counsel, U.S. EPA  
Melanie Williams, United States Department of Justice  
Edwin D. Knight, Missouri Department of Natural Resources  
Sharon Clifford, Missouri Department of Natural Resources