UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 7
11201 Renner Boulevard
Lenexa, Kansas 66219

OCT 1 6 2012

Dr. Robert Moser
Secretary
Kansas Department of Health and Environment
1000 S.W. Jackson, Suite 540
Topeka, Kansas 66612-1368

Dear Dr. Moser:

RE: Approval of TMDL document for Vermillion and Rock Creeks

This letter responds to the submission from the Kansas Department of Health and Environment, originally received by the U.S. Environmental Protection Agency, Region 7, on October 5, 2011, of a Total Maximum Daily Load document which contained TMDLs for *Escherichia coli*. Vermillion Creek and Rock Creek were identified on the 2010 Kansas Section 303(d) list as impaired. 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 segments and pollutant) are:

Water Body Name	WBID	Pollutant
Vermillion Creek	KS-KR-02-259_15	*E. coli*
Vermillion Creek	KS-KR-02-520_16, 17 and 18	*E. coli*
Rock Creek	KS-KR-02-645_21	*E. coli*
Brush Creek	KS-KR-02-645_57	*E. coli*
Elm Slough	KS-KR-02-645_58	*E. coli*
Pleasant Hill Run	KS-KR-02-645_23	*E. coli*
Mud Creek	KS-KR-02-645_56	*E. coli*
East Fork of Rock Creek	KS-KR-02-645_22	*E. coli*
Wilson Creek	KS-KR-02-645_50	*E. coli*
Darnells Creek	KS-KR-02-645_51	*E. coli*
Adams Creek	KS-KR-02-520_53	*E. coli*
Indian Creek	KS-KR-02-520_20	*E. coli*
Pomeroy Creek	KS-KR-02-520_59	*E. coli*
Jim Creek	KS-KR-02-520_52	*E. coli*
Spring Creek	KS-KR-02-520_54	*E. coli*
Hise Creek	KS-KR-02-520_43	*E. coli*
French Creek	KS-KR-02-520_19	*E. coli*

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Mud Creek	KS-KR-02-520_44	*E. coli*
Gilson Creek	KS-KR-02-520_47	*E. coli*
Mulberry Creek	KS-KR-02-520_42	*E. coli*
Cow Creek	KS-KR-02-520_45	*E. coli*
Spring Creek	KS-KR-02-520_48	*E. coli*
Coal Creek	KS-KR-02-520_46	*E. coli*
Wolf Creek	KS-KR-02-520_49	*E. coli*

The EPA has completed its review of the TMDL document with supporting documentation and information. By this letter, the EPA approves the submitted TMDLs. Enclosed with this letter is the Region 7 TMDL Decision Document which summarizes the rationale for the EPA's approval of the TMDLs. The EPA believes the separate elements of the TMDLs described in the enclosed document adequately address the pollutant of concern, taking into consideration seasonal variation and a margin of safety. Although the EPA does not approve the monitoring plan submitted by the state, the EPA acknowledges the state's efforts. The EPA understands that the state may use the monitoring plan to gauge the effectiveness of the TMDL and determine if future revisions are necessary or appropriate to meet applicable water quality standards.

The EPA appreciates the thoughtful effort that the KDHE has put into these TMDLs. We will continue to cooperate with and assist, as appropriate, in future efforts by the KDHE to develop TMDLs.

Sincerely,

Karen A. Flournoy

Karen A. Flournoy
Director
Water, Wetlands and Pesticides Division

Enclosures

cc: Mr. John Mitchell, Director, Division of Environment, KDHE
Mr. Tom Stiles, KDHE