



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 7
901 NORTH 5TH STREET
KANSAS CITY, KANSAS 66101

JUN 15 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 Stranger Creek

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, for a Total Maximum Daily Load document which contained TMDLs for lead and copper. Stranger Creek was 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 impairment (water body segments and pollutants) are:

<u>Water Body Name</u>	<u>WBID</u>	<u>Pollutant</u>
Stranger Creek	KS-KR-04-501_5, 6 and 7	lead
Stranger Creek	KS-KR-04-602_7, 8 and 9	lead and copper
Tonganoxie Creek	KS-KR-04-501_14	lead
Ninemile Creek	KS-KR-04-680_15 and 17	lead
Cow Creek	KS-KR-04-680_58	lead
Hog Creek	KS-KR-04-501_54	lead
Little Stranger Creek	KS-KR-04-501_881	lead
Little Stranger Creek	KS-KR-04-602_959	lead and copper
Little Sandy Creek	KS-KR-04-501_883	lead
Jarbalo Creek	KS-KR-04-501_51	lead
Rock Creek	KS-KR-04-501_902	lead
Fall Creek	KS-KR-04-501_52	lead
Brush Creek	KS-KR-04-501_49	lead
Walnut Creek	KS-KR-04-602_13	lead and copper
Prairie Creek	KS-KR-04-602_47	lead and copper
Indian Creek	KS-KR-04-602_48	lead and copper
Scatter Creek	KS-KR-04-602_9013	lead and copper
West Brush Creek	KS-KR-04-602_46	lead and copper
Dawson Creek	KS-KR-04-602_45	lead and copper
Buttermilk Creek	KS-KR-04-602_44	lead and copper



Crooked Creek	KS-KR-04-602_10 and 12	lead and copper
Unnamed Stream	KS-KR-04-602_11	lead and copper
Mooney Creek	KS-KR-04-602_1011	lead and copper
Howard Creek	KS-KR-04-602_43	lead and copper
Hulls Creek	KS-KR-04-602_42	lead and copper
Camp Creek	KS-KR-04-602_41	lead and copper

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 is currently in consultation under Section 7 of the Endangered Species Act with the U.S. Fish and Wildlife Service regarding this TMDL document. While we are approving these TMDLs at the present time, we may decide that changes to the TMDL document are warranted based upon the results of the consultation when it is completed.

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
 Director
 Water, Wetlands and Pesticides Division

Enclosure

cc: Mr. John Mitchell, Director, Division of Environment, KDHE
 Mr. Tom Stiles, KDHE
 Mr. Dan Mulhern and Mr. John Meisner, U. S. Fish and Wildlife Service, Manhattan