



Region 7

Iowa
Kansas
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Fact Sheet

May 2003

Proposed Decisions on Missouri's 2002 Section 303(d) List – Impaired Waters –

Section 303(d) of the Clean Water Act

Under Section 303(d) of the 1972 Clean Water Act (CWA), states, territories, and authorized tribes are required to develop lists of impaired waters every two years, for which existing technology-based pollution controls are not stringent enough to attain or maintain state water quality standards.

The law requires that these jurisdictions establish priority rankings for waters on the lists and develop total maximum daily loads (TMDLs) for these waters. A TMDL specifies the maximum amount of a pollutant that a waterbody can receive and still meet water quality standards, and allocates pollutant loadings among point and nonpoint pollutant sources.

By law, EPA must approve or disapprove 303(d) lists and TMDLs established by states, territories, and authorized tribes. If a submission from a state, territory, or authorized tribe is inadequate, EPA must establish the list or the TMDLs. EPA issued regulations (i.e., TMDL provisions) in 1985 and 1992 that implement Section 303(d) of the Clean Water Act.

Background on Missouri's 2002 Section 303(d) List

Missouri submitted its 2002 Section 303(d) List to EPA on August 27, 2002. EPA has determined that Missouri's list of 150 impaired waterbodies still requiring TMDLs *partially* meets the requirements of Section 303(d) of the CWA.

In turn, EPA is partially approving, and proposes to partially disapprove, Missouri's 2002 Section 303(d) List. EPA's proposed decision document and supporting documentation was provided to the State on April 30, 2003.

Summary of Proposed Decisions

EPA proposes to add and/or restore a total of 63 waterbodies and associated pollutants of concern to Missouri's 2002 list of impaired waters, because the State did not provide sufficient data and information to support its decision not to list those waterbodies.

Of those 63 waterbodies, EPA is proposing to:

- Restore 46 waterbodies to Missouri's 2002 list because the State has not provided sufficient data and information to support delisting.
- Add 13 waterbodies not previously included on Missouri's 2002 list, based on EPA's review of Missouri's "Monitoring Report on 26 Waterbodies," which was completed under the terms of a Consent Decree between EPA and environmental plaintiffs (American Canoe Association and Sierra Club).
- Add four waterbodies to Missouri's 2002 list in response to written comments received by Missouri during the State's public comment period.

Also, the State had removed pollutants of concern from 30 waterbodies retained from the 1998 list that had been identified by the State in 1998 as causing impairment. However, EPA is proposing to restore those identified pollutants of concern to the 30 waterbodies because the State had not provided sufficient data and information to support the exclusion of those pollutants as causes of impairment.

In addition, EPA is proposing to add pollutants to two retained waterbodies based on data and information reviewed by EPA which indicates that these pollutants are causing impairment.

Finally, EPA is approving Missouri's delisting of 17 waterbodies.

Next Steps

EPA is giving the public the opportunity to review its proposed decisions to add and/or restore waters and pollutants to Missouri's 2002 Section 303(d) List.

The list and supporting information is available online at www.epa.gov/region07 or can be requested by mail or phone from Patrick Costello, Water Resources Protection Branch, EPA Region 7, 901 N. 5th Street, Kansas City, KS 66101, (913) 551-7939 or toll-free at (800) 223-0425.

The public notice was published **May 1, 2003**, in newspapers serving the following cities and their surrounding areas: Maryville, Kirksville, Kansas City, Jefferson City, St. Louis, Springfield, and Cape Girardeau. The list and supporting information is also available for public review at libraries in those communities (*see box at right*).

The public comment period ends **June 30, 2003** (60 days after the date of the public notice). EPA will consider written public comments in reaching its final decisions on the additional waterbodies and pollutants identified for inclusion on Missouri's final list. Written comments must be submitted to Patrick Costello (at the address above) on or before June 30, 2003.

For more information, please contact:

Martin Kessler
EPA Region 7
(913) 551-7003
or toll-free at (800) 223-0425.

The list and supporting information is available for public review in INFORMATION REPOSITORIES at the following Missouri libraries:

- Maryville: Maryville Public Library
509 N. Main
Maryville, MO 64468
(660) 582-5281
- Kirksville: Adair County Public Library
One Library Lane
Kirksville, MO 63501
(660) 665-6038
- Kansas City: Kansas City Public Library
311 E. 12th Street
Kansas City, MO 64106
(816) 701-3400
- Jefferson City: Missouri State Library
600 W. Main
Jefferson City, MO 65101
(573) 751-2751
- St. Louis: St. Louis Public Library
1301 Olive Street
St. Louis, MO 63103
(314) 241-2288
- Springfield: The Library Center
4653 S. Campbell
Springfield, MO 65810
(417) 874-8120
- Cape Girardeau: Cape Girardeau Public Library
711 N. Clark St.
Cape Girardeau, MO 63701
(573) 334-5279
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