



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8

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Ref: 8EPR-EP

29 September 2005

Mr. Art Compton, Director  
Planning, Prevention and Assistance Division  
Department of Environmental Quality  
P.O. Box 200901  
Helena, MT 59620-0901

Re: **TMDL Approvals**  
Big Spring TPA

Dear Mr. Compton:

We have completed our review of the total maximum daily loads (TMDLs) as submitted by your office for the Big Spring TMDL Planning Area (TPA). The TMDLs are included in the document entitled Big Spring Watershed Water Quality Restoration Plan and Total Maximum Daily Loads transmitted to us for review and approval in correspondence dated March 30, 2005 and signed by you. In accordance with the Clean Water Act (33 U.S.C. 1251 *et. seq.*), we approve all aspects of the TMDLs for the following water body/pollutant combinations:

Big Spring Creek (MT41S004\_010) - PCBs  
Big Spring Creek (MT41S004\_020) - nutrients (phosphorus)  
Big Spring Creek (MT41S004\_020) - PCBs  
Big Spring Creek (MT41S004\_020) - Siltation

Insufficient information has been provided to facilitate approval of TMDLs for the following water body/pollutant combinations and as such, we are taking no action on these at this time. Further, we anticipate the State will be addressing these waterbody/pollutant combinations at a later date.

Lower Cottonwood Creek (MT41S004\_052) – Nutrients  
Lower Cottonwood Creek (MT41S004\_052) – Dissolved Oxygen  
Casino Creek (MT41S004\_040) – Nutrients

Enclosure 1 to this letter provides a summary of the elements of the TMDLs and Enclosure 2 provides details of our review of the TMDLs.



Based on our review, we feel the separate TMDL elements listed in Enclosure 2 for the water body/pollutant combinations listed above in Big Spring Creek adequately address the pollutants of concern, taking into consideration seasonal variation and a margin of safety. In approving these TMDLs, EPA affirms that the TMDLs have been established at a level necessary to attain and maintain the applicable water quality standards and has the necessary components of an approvable TMDL.

EPA has been in contact with the United States Fish and Wildlife Service (FWS) regarding whether and, if so, how the EPA's approval of the Big Spring TMDLs may affect the continued existence of any endangered or threatened species listed under the Endangered Species Act (ESA) or the designated critical habitat of any such species. EPA has not determined that today's approval may have such an affect. Therefore, consistent with the terms of a consent decree in the lawsuit of Friends of the Wild Swan, et al., v. U.S. Environmental Protection Agency, et al., Civil Action No. CV99-87-M-LBE, United States District Court for the District of Montana, Missoula Division, EPA has decided to approve these TMDLs contingent upon the outcome of consultation with the FWS.

Thank you for your submittal. If you have any questions concerning this approval, feel free to contact Ron Steg of my staff at (406) 457-5024.

Sincerely,

*Original signed by Terry Anderson for*

Max H. Dodson  
Assistant Regional Administrator  
Ecosystems Protection and Remediation

Enclosures

cc: Claudia Massman, Attorney  
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