

## PUBLIC NOTICE STATEMENT

Notice of submittal to the U.S. Environmental Protection Agency (EPA) and a request for public comment on the State of North Dakota's Nutrient and Dissolved Oxygen Total Maximum Daily Load (TMDL) report for Matejcek Dam, Walsh County, North Dakota.

### 1. Summary

Section 303(d) of the Clean Water Act (CWA) and its accompanying regulations (CFR Part 130 Section 7) requires each state to identify waterbodies (i.e., lakes, reservoirs, rivers, streams, and wetlands) which are considered water quality limited and require load allocations, waste load allocations, or total maximum daily loads. A waterbody is considered water quality limited when it is known that its water quality does not meet applicable water quality standards or is not expected to meet applicable water quality standards. Waterbodies can be water quality limited due to point sources of pollution, non-point sources of pollution, or both.

Section 303(d) of the Clean Water Act requires states to develop Total Maximum Daily Loads for waterbodies that are water quality limited and listed on the state's Section 303(d) list. This list has become known as the "TMDL list" or "Section 303(d) list."

Following an opportunity for public comment, the state must submit TMDLs to the EPA Regional Administrator. The EPA Regional Administrator then has 30 days to either approve or disapprove the TMDL. The purpose of this notice is to solicit public comment prior to formally submitting the Nutrient and Dissolved Oxygen TMDL report for Matejcek Dam, Walsh County, to the EPA Regional Administrator.

### 2. Public Comments

Persons wishing to comment on the Matejcek Dam Nutrient and Dissolved Oxygen TMDL report may do so, in writing, within thirty (30) days of the date of this public notice. Comments must be received within this 30-day period to ensure consideration in the EPA approval or disapproval decision. All comments should include the name, address, and telephone number of the person submitting comments, and a statement of the relevant facts upon which they are based. All comments should be submitted to the attention of the Section 303(d) TMDL Coordinator, North Dakota Department of Health, Division of Water Quality, Gold Seal Center, 918 East Divide Avenue, 4<sup>th</sup> Floor, Bismarck, ND 58501-1947. The Matejcek Dam Nutrient and Dissolved Oxygen TMDL report may be reviewed at the North Dakota Department of Health's office in Bismarck, ND. A copy of the TMDL report can be obtained or reviewed during normal business hours or by accessing it through the Department's web address (<http://www.ndhealth.gov>). Copies may be requested by writing to the Department at the above addresses or by calling 701.328.5210.

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