

PUBLIC NOTICE

U.S. Environmental Protection Agency, Region 7  
Water, Wetlands and Pesticides Division  
901 North 5th Street  
Kansas City, Kansas 66101

NOTICE OF AVAILABILITY  
TOTAL MAXIMUM DAILY LOAD (TMDL)  
FOR TWO SEGMENTS OF THE MISSISSIPPI RIVER, IN THE STATE OF IOWA

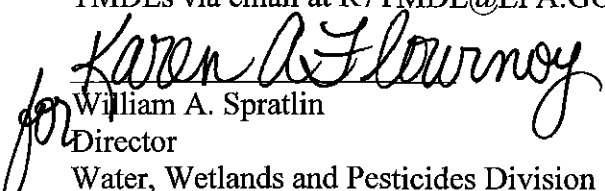
Section 303(d) of the Clean Water Act (CWA), 33 USC § 1313(d)(1)(C), and the U.S. Environmental Protection Agency's (EPA) implementing regulation, 40 CFR § 130.7(c)(1), require the establishment of TMDLs for waters identified as not meeting water quality standards (WQS) under authority of § 303(d)(1)(A) of the CWA. TMDLs are established at a level necessary to implement applicable WQS with seasonal variations and a margin of safety that accounts for lack of knowledge concerning the relationship between pollutant loading and water quality.

To meet the milestones of the 2001 Consent Decree, *Sailors, et al. v. EPA*, Consolidated Case No. C98-134-MJM, December 17, 2001, EPA is establishing these TMDLs. The state of Iowa informed EPA that it will not develop TMDLs for these two segments of the Mississippi River. However, Iowa may submit and EPA may approve other TMDLs for these waters at a later time.

The impaired water bodies addressed by these TMDLs are two segments of the Mississippi River, identification numbers IA 01-NEM-0010\_2 and IA 03-SKM-0010\_1. Segment IA 01-NEM-0010\_2 is approximately 10.7 miles long, and is located between the cities of Le Claire and Davenport, Iowa. Segment IA 03-SKM-0010\_1 begins at the confluence with Sugar Creek, south of Fort Madison, Iowa, and flows approximately 17.3 miles downstream to the Iowa/Missouri state line. The impaired segments are classified for the following uses: Class A1 (primary contact recreation, Class B(WW1) aquatic life, Class C (drinking water), Class HH (Human Health). The total arsenic concentration in each segment is in excess of the Iowa water quality criteria for human health established for consumption of fish and water (0.18 micrograms per liter [ $\mu\text{g/L}$ ] arsenic (III) per Iowa Administrative Code (IAC) 61.3(1)b(13)(1)). The 1998, 2002, 2004, and 2006 Iowa Water Quality Assessments designate these segments as "not supporting" Class C uses (uses as a raw water source of potable water supply). The comment period for these TMDLs is extended 60 days beyond the original end date. The new end date for public comment is June 2, 2010.

Persons wishing to comment on these proposed TMDLs or offer new data or information regarding the proposed TMDLs are invited to send comments to the EPA, Region 7, Water, Wetlands and Pesticides Division, 901 North 5th Street, Kansas City, Kansas 66101, ATTENTION: Ms. Debby White, Water Quality Management Branch, MS River Arsenic. Comments may also be sent to R7TMDL@EPA.GOV or via FAX at 913-551-9886.

A copy of the proposed TMDLs can be obtained through the Internet at the following Web address: [http://www.epa.gov/region07/water/tmdl\\_public\\_notice.htm](http://www.epa.gov/region07/water/tmdl_public_notice.htm). Request a copy of the TMDLs via email at R7TMDL@EPA.GOV or via FAX at 913-551-9886.

for William A. Spratlin

Director

Water, Wetlands and Pesticides Division  
EPA, Region 7

3-23-10  
Date