

Cedar Lake in Iowa
Total Maximum Daily Load for Atrazine
SUMMARY OF COMMENTS AND RESPONSES

Prepared by the Environmental Protection Agency (EPA), Region 7
Water, Wetlands and Pesticides Division
March 2010

COMMENTOR(S):

1. Jeff Berckes, Iowa Department of Natural Resources, 2/15/10, Des Moines, Iowa
2. Tim Palmer, Individual, 2/16/2010, Iowa
3. Brian Christensen, Syngenta Crop Protection-contractor, 2/18/2010, Iowa
4. Rick Robinson, The Iowa Farm Bureau, 3/9/2010, Iowa
5. Ronald W. Williams, Syngenta Crop Protection, 3/10/2010, Greensboro, North Carolina
6. Don Elsbernd, Iowa Corn Growers Association, 3/10/2010, Johnston, Iowa

INTRODUCTION

The Cedar Lake Total Maximum Daily Load (TMDL) for Atrazine was public noticed from February 5, 2010 to March 10, 2010. This document summarizes public comments and United States Environmental Protection Agency (EPA) responses. Any changes to the final TMDL are explained in the Summary of Changes to the Final TMDL. If no change is noted in the response, then no change is made in the final TMDL. Similar comments on a single topic are summarized as one comment, but each commentor is referenced.

COMMENTS AND RESPONSES

Comment: Why are the Safe Drinking Water Act (SDWA) criteria, methodology and guidelines not targeted in the TMDL? (Commentors 4, 5, 6)

Response: TMDLs target Clean Water Act (CWA) compliance, not SDWA guidelines. As such, the water quality criteria used to model load allocations for Iowa TMDLs is found at Iowa Administrative Code (IAC) 567 to 61.3(455B) *Surface Water Quality Criteria*, not IAC 567 Chapter 41.5 *Organic Chemicals*, as cited in a commentor's letter. The 3 micrograms per liter (ug/L) criterion of the TMDL applies to raw surface water based on Iowa's EPA approved water quality standards (WQS). Commentors also raise concerns that the modeling in the draft TMDL is "not consistent with SDWA drinking water compliance procedures" and does "not produce an accurate annual average for compliance assessment purposes." The methodology for adding waters to the 303(d) Impaired Waters List and writing TMDLs is developed for CWA purposes, as long as it is consistent with Iowa's EPA approved WQS. The CWA does not necessarily follow SDWA guidelines. Additionally, the draft TMDL's methodology takes into account seasonal sampling discrepancies consistent with CWA modeling criteria and EPA approved Iowa standards.

Comment: "Atrazine concentrations in raw water have not exceeded the drinking water MCL [Maximum Contaminant Level] and therefore the drinking water designated use for Cedar

Lake is not impaired by atrazine” was concluded by a commentator who ran the model independently of the TMDL’s analysis. Several other commentators made the same assertion based on the same independent model run. (Commentors 4, 5, 6)

Response: After comparing the modeling and results in the commentator’s letter, it appears that different data was used to produce this graph than was used in the draft TMDL development. Observing that TMDLs are written for CWA criteria and the discrepancy in data, it can not be established that “atrazine concentrations in raw water have not exceeded the drinking water MCL and therefore the drinking water designated use for Cedar Lake is not impaired by atrazine.”

Comment: Several Commentors suggested that Cedar Lake be reclassified as a Category 4b water in the Integrated Report (CWA 305(b) waters assessment merged with CWA 303(d) impaired waters comprises the Integrated Report which states submit to EPA bi-annually). (Commentors 4, 5, 6)

Response: To address reclassifying Cedar Lake as a Category 4b water body, it’s necessary to look at the requirements for placing a water body in Category 4b. Cedar Lake lacks at least two 4b requirements - a pollution control that will result in meeting WQS, and a time estimate of when WQS will be met.

Comment: The Cedar Lake TMDL is not necessary under the Consent Decree. (Commentors 4, 5, 6)

Response: The Cedar Lake TMDL, being established by EPA, is necessary to meet Consent Decree obligations because Cedar Lake was re-listed for Atrazine on the 2006 303(d) Impaired Waters List. The Consent Decree requires all waters that were listed as impaired in 1998 be addressed by 2010. With Cedar Lake’s re-listing for the same pollutant that put it on the 1998 303(d) Impaired Waters List, Cedar Lake was returned to the group of waters needing to be addressed before the Consent Decree may close. The TMDL is not based on the 2008 Iowa 303(d) Impaired Waters List which is still in EPA Review.

Comment: A Commentor asked why the acreage is different in the TMDL. The beginning of the TMDL defines the watershed acreage and later on page 32, Table C-3 the numbers listed don’t appear to add up to the previous stated total watershed acreage. (Commentor 2)

Response: There is no page 32 in the Cedar Lake TMDL, however, it is assumed that reference is being made to a discrepancy between the watershed areas in the executive summary and the modeling section Appendix C. The area listed in the TMDL’s executive summary is given in acres, but the model uses the measurement of hectares. A hectare is equal to approximately 2.5 acres. When the commentator was called on 2/16/2010, he concurred that he was referring to page 48 Appendix C model inputs.

Comment: Commentor requested the spreadsheets used to calculate the 4 quarter running averages. He also noted that the calculations don’t include the data from 2002 and wanted to know why. (Commentors 3, 5)

Response: The commentor was sent the spreadsheets and data used for calculating the TMDL on Cedar Lake. The data used for the TMDL was provided by the state of Iowa from the assessment of the lake for inclusion on the 2006 303(d) List of impaired waters. The TMDL does not use a 4-quarter running average, rather it calculates it monthly.

Comment: Were the modeling appendix [appendices] available for review? (Commentor 1, 3)

Response: The modeling for the draft Cedar Lake TMDL and its appendices were merged into one PDF and posted on the EPA Region 7 EPA website from February 5, 2010, to March 10, 2010. The modeling appendices that were part of the merged TMDL PDF were labeled: *Appendix C Cedar Lake GWLF Inputs* and *Appendix D Cedar Lake GWLF Outputs*. Additional data was available and was provided to commentors.

End Comments and Responses