

Mississippi River in Iowa
Total Maximum Daily Loads (TMDLs) for Arsenic
SUMMARY OF COMMENTS AND RESPONSES
Prepared by the Environmental Protection Agency (EPA), Region 7
Water, Wetlands and Pesticides Division
June 2010

INTRODUCTION

EPA public noticed draft Mississippi River TMDLs for Arsenic from March 2, 2010 to June 2, 2010. The draft TMDLs cover the Mississippi River segments identified as IA 01-NEM-0010_2 and IA 03-SKM-0010_1. EPA intended to establish these TMDLs to meet the milestones of the 2001 Consent Decree, *Sailors, et al. v. EPA*, Consolidated Case No. C98-134-MJM, December 17, 2001 (Consent Decree). This document summarizes the EPA response to comments.

RESPONSE TO COMMENTS

In response to multiple comments that these water quality-limited segment/pollutant combinations are not covered by the Consent Decree, EPA performed a thorough record investigation. EPA determined that it is not required by the Consent Decree to establish TMDLs for the arsenic impairment on these two segments of the Mississippi River (IA 01-NEM-0010_2 and IA 03-SKM-0010_1). As a result, no action to finalize the TMDLs is being taken at this time.

EPA will continue to collaborate with the Iowa Department of Natural Resources to develop these TMDLs in accordance with EPA policies and regulations.

LIST OF COMMENTORS

1. Tom J. Muga, State of Wisconsin, Wisconsin Department of Natural Resources, Wisconsin
2. Scott Icus, Climax Molybdenum Company, Fort Madison, Iowa
3. Tim Angell, Iowa Telecom, New Hampton, Iowa
4. Rich White, Iowa Limestone Producers Association, Des Moines, Iowa
5. Susan Gens, City of Gilbert, Gilbert, Iowa
6. Herb Trix, WVIK News, Rock Island, Illinois
7. John C. Hall, Hall and Associates, Washington, District of Columbia
8. Gerald Neff, citizen, Pleasant Valley, Iowa
9. Randy Neprash, Minnesota Cities Stormwater Coalition, Minnesota
10. Jon E. Kallen, MidAmerican Energy Company, Urbandale, Iowa
11. Tim Bachman, Illinois Association of Wastewater Agencies, Urbana and Champaign, Iowa
12. Nicole Molt, Iowa Association of Business and Industry, Des Moines, Iowa
13. Virginia H. Soelberg, citizen, Johnston, Iowa

14. Charles Corell, State of Iowa, Department of Natural Resources, Des Moines, Iowa
15. Pam and Wallace Taylor, Sierra Club, Iowa Chapter, Des Moines, Iowa
16. Jeff Risberg, State of Minnesota, Minnesota Pollution Control Agency, Minnesota
17. Douglas Wilson, Great River Materials LLC, Burlington, Iowa
18. Gary R. Veeder, Greene Limestone, Charles City, Iowa
19. Mark Denzler, Illinois Manufacturers' Association, Springfield, Illinois
20. Rick L. Kuhlman, Kuhlman Construction LC, Manchester and Colesburg, Iowa
21. Jane A. Kuhlman, Kuhlman Construction LC, Manchester and Colesburg, Iowa
22. Todd A. Scott, The River Products Company, Iowa City, Iowa
23. Kalen J. Schlader, Greene Limestone, Charles City, Iowa
24. Dave Hokanson, Upper Mississippi River Basin Association, St. Paul, Minnesota
25. Daniel J. Melancon, Roquette America, Inc., Keokuk, Iowa
26. Marcia T. Willhite, Illinois Environmental Protection Agency, Springfield, Illinois
27. Rebecca J. Flood, State of Minnesota, Minnesota Pollution Control Agency, Minnesota
28. Sherman Lundy, BMC Aggregates L.C., Waterloo, Iowa
29. John Mitchell, Alcoa Mill Products, Bettendorf, Iowa
30. Brian Angwin, Equistar Chemicals, LP, Clinton, Iowa
31. Todd Ambs, Upper Mississippi River Basin Association, St. Paul, Minnesota
32. Morgan Schuler and Herb Miller, Wendling Quarries, Inc. DeWitt, Iowa
33. W. Thomas Barnum, River Stone Group, Inc., Moline, Illinois
34. Russ Rasmussen, Department of Natural Resources, Madison, Wisconsin
35. Eric Lecuyer, Central States Water Environment Association, Inc., Crystal Lake, Illinois
36. Scott D. Newhard, Associated General Contractors of Iowa, Des Moines, Iowa
37. Brad Pincombe, Alliant Energy (Interstate Power and Light) Cedar Rapids, Iowa
38. Brenda Carter, Illinois Environmental Regulatory Group, Springfield, Illinois
39. Alicia Oman, National Association of Manufacturers, Washington, District of Columbia
40. Scott Manley, Wisconsin Manufacturers & Commerce, Madison, Wisconsin
41. Rick Robinson, Iowa Farm Bureau Federation, West Des Moines, Iowa
42. Paul G. Kent and Ms. Julie M. Baldwin, Anderson & Kent, S.C., Madison, Wisconsin


William A. Spratlin

Director

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EPA, Region 7

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Date