

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
FOR A SEGMENT OF THE MISSISSIPPI RIVER IN THE STATE OF IOWA

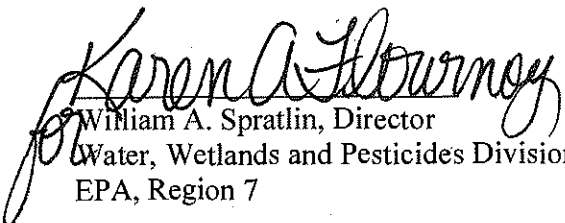
Section 303(d) of the Clean Water Act (CWA), 33 USC § 1313(d)(1)(C), and the U. S. Environmental Protection Agency's (EPA) implementing regulation, 40 CFR § 130.7(c)(1), require the establishment of Total Maximum Daily Load (TMDL) for waters identified as not meeting water quality standards (WQS) under 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. The margin of safety is a percentage of the TMDL intended to account for the uncertainty attributed to model assumptions, data limitations, and other sources.

To meet the Mississippi Pools milestones of the 2001 Consent Decree, *Sailors, et al. v. EPA*, Consolidated Case No. C98-134-MJM, December 17, 2001, EPA is establishing this TMDL. EPA is developing this TMDL in cooperation with the state of Iowa. Iowa may submit, and EPA may approve another TMDL for this water at a later time.

The impaired water body addressed by this TMDL is a Mississippi River segment (specifically known as Beaver Slough), identification number IA 01-NEM-0010_4. Beaver Slough is listed on the 1998 Iowa § 303(d) List of Impaired Waters as impaired by organic enrichment (due to a slime growth problem). Beaver Slough is 16.1 miles long and flows southward through Eastern Iowa's Copperas-Duck watershed. It begins at Mississippi Lock & Dam 13 in Clinton, Iowa, and ends at the mouth of the Wapsipinicon River (Scott/Clinton County line). Beaver Slough borders Clinton County, Iowa to the east, and Rock Island and Whiteside Counties, Illinois to the west. Beaver Slough's impaired beneficial uses are Overall Use (narrative criteria) and Aquatic Life. The uses are impaired by a slime identified as *Sphaerotilus natans*, a heterotrophic bacteria. The impairment of this water body is based on exceedance of the specific criteria contained in the Iowa Administrative Code, Environmental Protection Rule 567, Chapter 61, *Water Quality Standards*. Public comment for this TMDL ends on October 9, 2009.

Persons wishing to comment on this proposed TMDL or to offer new data or information regarding the proposed TMDL are invited to send comments to EPA, Region 7, Water, Wetlands and Pesticides Division, 901 North 5th Street, Kansas City, Kansas 66101, ATTENTION: Ms. Carol Taylor, Water Quality Management Branch.

A copy of the proposed TMDL can be obtained through the Internet or by contacting Ms. Taylor via email at taylor.carold@epa.gov or via FAX at (913) 551-9638. On the web, the TMDL is found at: http://www.epa.gov/region07/water/tmdl_public_notice.htm.


William A. Spratlin, Director
Water, Wetlands and Pesticides Division
EPA, Region 7

9-2-09
Date