



REGION 7
LENEXA, KS 66219

July 11, 2025

Mr. Ed Tormey
Division Administrator
Environmental Services Division
Iowa Department of Natural Resources
6200 Park Avenue, Suite 200
Des Moines, Iowa 50321

Re: Rescission and Reconsideration of the U.S. Environmental Protection Agency's Partial Disapproval to Iowa's 2024 Section 303(d) List and Identification of Waters

Dear Mr. Tormey:

By this letter, the EPA rescinds its November 12, 2024, partial disapproval of the state of Iowa's 2024 Clean Water Act Section 303(d) List of Impaired Waters (2024 Section 303(d) List) pertaining to seven waters and its identification of these waters for addition to the state's 2024 Section 303(d) List for nitrate, nitrite, and nitrate plus nitrite impairments.¹ In its November 12, 2024, decision, the EPA partially disapproved Iowa's 2024 Section 303(d) List with regard to the state's determination not to include seven waters as impaired for nitrate, nitrite, and nitrate plus nitrite and it identified these waters for addition to the 2024 Section 303(d) List. Following the public comment period, the EPA responded to comments, affirmed its identification of the seven waters for addition to the 2024 Section 303(d) List, and transmitted the 2024 Section 303(d) List to IDNR on December 30, 2024. Recission of the partial disapproval and identification of these seven waters is appropriate to allow EPA to evaluate additional information regarding the state's determination not to list the seven referenced waters pursuant to the requirements of Section 303(d) of the Clean Water Act and EPA regulations.

On May 2, 2025, the IDNR offered additional information to the EPA regarding the state's determination not to list the seven referenced waters that was not previously submitted to or considered by the EPA in its prior actions regarding the 2024 Section 303(d) List. IDNR explained that its decision to not list these waters was informed by an application of the nitrate, nitrite, and nitrate plus nitrite criteria as numeric criteria that solely protect against chronic effects. The EPA's partial disapproval and identification of the referenced waters, however, considered Iowa's numeric criteria for nitrate, nitrite, and nitrate plus nitrite as applicable to both chronic and acute human health effects. Therefore, the EPA is rescinding its partial disapproval and identification of the referenced

¹ Cedar River (IA 02-CED-456 for Nitrate plus nitrite as N), Des Moines River (IA 04-LDM-1011 for Nitrate plus nitrite as N and IA 04-UDM-1211 for Nitrate plus nitrite as N), Iowa River (IA 02-IOW-628 for Nitrate plus nitrite as N and Nitrate as N), Raccoon River (IA 04-RAC-1116 for Nitrate plus nitrite as N), and South Skunk River (IA 03-SSK-927 Nitrate plus nitrite as N).

seven waters so that it can further evaluate this rationale and reconsider its decision on the state's Section 303(d) List.

Pursuant to the CWA regulations at 40 CFR 130.7(b)(6)(iv), the EPA is seeking additional information from IDNR to facilitate its reconsideration based on the rationale recently provided by the IDNR and whether "good cause" exists to not include the seven referenced waters on its 2024 Section 303(d) List.

The EPA is not modifying any other aspect of its November 12, 2024, decision on the 2024 Section 303(d) List. This reconsideration is guided by the Agency's commitment to clean water for every American and ensures all relevant data and information is considered with the advancement of the Agency's mission. EPA remains committed to strengthening science, fulfilling Clean Water Act obligations, and enhancing communication and partnership with the State.

Sincerely,



James Macy
Regional Administrator, EPA Region 7

cc: Lori McDaniel, Iowa DNR
Kayla Lyon, Iowa DNR
Mark Moeller, Iowa DNR
Amy Shields, EPA R7
James Havard, EPA HQ