UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS TX 75202-2733

MAY - 3 2013

Mr. Marvin L. Childers
President
The Poultry Federation
P.O. Box 1446
Little Rock, Arkansas 72203

Dear Mr. Childers:

Thank you for your March 1, 2013, letter requesting that the U.S. Environmental Protection Agency (EPA) Region 6 suspend its ongoing efforts to develop a Total Maximum Daily Load (TMDL) for the Illinois River Watershed in Arkansas and Oklahoma. As you may be aware, we received an earlier and similar request from Tyson Foods, Inc. (Tyson), and we are enclosing a copy of our response to that request for your information.

As we indicated in our response to Tyson, while we have given full consideration to your request, the EPA does not believe suspending the agency's current model and TMDL development efforts in the Illinois River Watershed is necessary or prudent. To the contrary, we believe continuing the current work is vital to the shared goal of improved water quality in the Illinois River and its upstream tributaries in northwest Arkansas. Given the time and resources required thus far to achieve the level of model development that has been realized, the EPA believes completion of the modeling efforts and development of any TMDL(s) is likely to be a lengthy process. Accordingly, the EPA believes that it is important to continue moving forward with its ongoing modeling and TMDL work. In the event that the prospective stressor-response study is completed and yields an alternative EPA approved phosphorus criterion, the EPA will simply replace the current Scenic Rivers criterion (0.037 mg/l phosphorus) with the new value and then reassess the results of modeled load reduction scenarios.

Your letter stated that compliance with the 0.037 criterion "has been suspended" under the Second Statement of Joint Principles and Actions signed by the states. I would like to point out that Oklahoma's 0.037 mg/l phosphorus criterion currently remains in effect for Clean Water Act purposes. Pursuant to Oklahoma's currently approved water quality standards, a 0.037 mg/l phosphorus criterion applies to all Oklahoma water bodies designated as "Scenic Rivers." The new interstate agreement alone cannot amend Oklahoma's water quality standards or suspend their implementation.

Thank you very much for sharing your concerns. If you have further questions, please contact me at (214) 665-7101 or Claudia Hosch, Associate Director for NPDES Permits and TMDLs, at (214) 665-7170.

Sincerely yours,

William K. Honker, P.E., Director
Water Quality Protection Division

Enclosure