



March 1, 2013

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Mr. Ron Curry  
USEPA Region 6 Administrator  
1455 Ross Ave. Suite 1200  
Dallas, TX 75202

Dear Mr. Curry,

RE: Requesting EPA to Delay Implementation of the TMDL

This request is in reference to the February 20, 2013 agreement by Arkansas and Oklahoma officials to jointly conduct a comprehensive study of phosphorous concentrations and impacts in the Illinois River watershed.

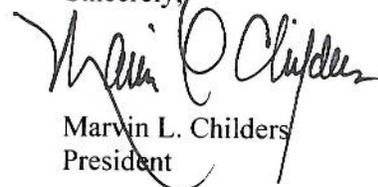
In short, in the interest of improving water quality in the region, a "Second Statement of Joint Principles and Actions" have been developed as a framework for advancing phosphorous science through a stressor response study to be conducted over the next three years. The study will be overseen by a six member committee, three members selected by the governors of each state, and performed by an independent vendor. Specifically, science will be used to determine the relationship between in-stream phosphorus concentrations, algal production, temperature, flow, beneficial use, etc. This study could reaffirm the original .037 mg/L standard or result in an entirely different standard being adopted. Compliance, however, with .037 mg/L has been suspended under this agreement until the study process is completed.

In light of this new development, we urge Region 6 to consider placing its current TMDL work on hold pending the outcome of the above-mentioned stressor response study. This would be a pragmatic move to save resources while awaiting the results of an important study that can only help the proper scientific outcome of the TMDL process. If the Agency moves ahead with implementing a TMDL based upon .037 mg/L, it could result in costly changes in Arkansas that are ultimately deemed to have been unnecessary under the on-going study which could provide more scientifically sound insights into the proper regulation of phosphorous.

In conclusion, the bi-state agreement has suspended the implementation date of .037 during the term of the agreement. It only makes sense for the Agency to do the same.

Thank you for your time and commitment to improving our environment.

Sincerely,



Marvin L. Childers  
President