

STIR



Save the Illinois River Inc.

24369 E 757 Rd. (918) 284-9440 Tahlequah, OK 74464-1949
www.illinoisriver.org info@illinoisriver.org

July 17, 2018

David Garcia, P.E.
Acting Director
Water Division
U.S. EPA Region 6
1445 Ross Avenue, Suite 1200
Dallas, Texas 75202

Dear Mr. Garcia,

Save the Illinois River, Inc. (STIR) finds EPA's unusual decision to approve the 2016 Arkansas 303(d) list of Impaired waters lamentable and likely illegal. We ask you to reevaluate your action (EPA Region 6 letter to Ms. Becky Keogh, ADEQ, July 19, 2017). We request an explanation of how this action can be approved under 40CFR 130.7 since no change in total phosphorus has been demonstrated for Osage Creek, Spring Creek and the Illinois River and no other pollution control requirements exist.

EPA's decision to allow these tributaries of the Illinois River to be reclassified as 4(b) instead of category 5 may mislead Arkansas to evade development of TMDLs for these streams and the Illinois River. However, because the Illinois River is impaired at the Arkansas-Oklahoma State line, then it would seem logical that, regardless of the status in Arkansas, TMDL(s) would still be required.

Very simply Mr. Garcia, how can EPA Region 6 justify reclassification of these streams after years of insisting they be listed by Arkansas as impaired by phosphorus? In our view, nothing has physically changed in these waters. Proposed water quality management plans and well-intended bistate agreements to improved water quality alone don't justify reclassification to 4(b). We would hope that EPA would be more diligent in what it requires for such a dramatic change in the Arkansas 303(d) list.

Please provide STIR with the water quality monitoring and assessment data you used to approve the removal of Osage Creek and Spring Creek from the Category 5 designation of the 2016 Arkansas 303(d) list.

EPA's decision to approve the 2016 Arkansas 303(d) list was a surprise to Oklahoma and to Illinois River stakeholders and prevented an immediate objection. STIR has objected to previous attempts by Arkansas to declassify Illinois River tributaries and river segments by not listing them as impaired for phosphorus. We are grateful that EPA, in those previous instances, agreed that the changes were not justified and EPA added these water bodies to the Arkansas 303(d) list. STIR requests that, in the future, we be notified when EPA considers changes proposed by Arkansas for any waterbodies within the Illinois River watershed in the Arkansas.

Save the Illinois River, Inc., (STIR) is a 501(c)(3) not for profit citizen's coalition chartered by the State of Oklahoma in 1984 to preserve and protect the Illinois River, its tributaries and Lake Tenkiller.

Thank you,

Denise Deason-Toyne
President

CC: David Ross, Assistant Administrator for Water, EPA Headquarters
Deborah Nagle, P.E., Acting Director, Office of Science and Technology,
EPA Headquarters
Ann Idsal, Regional Administrator, EPA Region 6
Scott Thompson, Director, Oklahoma Department of Environmental
Quality
Michael J. Teague, Secretary of Energy & Environment State
of Oklahoma

“Clean Water is Northeastern Oklahoma’s Future”