



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

AUG 28 2013

Ryan Benefield  
Deputy Director  
Arkansas Department of Environmental Quality  
5301 Northshore Drive  
North Little Rock, AR 72118-5317

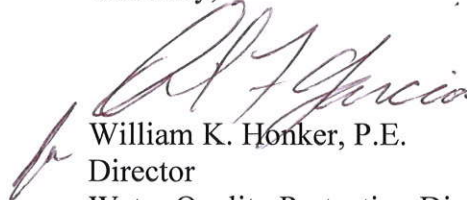
Dear Mr. Benefield:

Under the Clean Water Act (CWA) and 40 CFR Part 123, the Environmental Protection Agency (EPA) retained authority to review, comment on, and object to the sufficiency of draft state NPDES permits following EPA's approval of the Arkansas Department of Environmental Quality (ADEQ) as the National Pollutant Discharge Elimination System (NPDES) permitting authority for the state of Arkansas. However, in accordance with 40 CFR § 123.24, the Memorandum of Agreement (MOA) between the EPA and ADEQ specified that EPA could waive review of certain classes or categories of permits. Section III.B.18 of the MOA also specified that EPA retained the right to terminate the waiver as to future permits, in whole or in part, at any time by sending the state a written notice of termination.

Pursuant to Section III.B.18 of the MOA and until further notice, I am terminating EPA's waiver of review as it applies to any minor permit drafted or revised to comply with the requirements of Act 954 of the 89<sup>th</sup> General Assembly of the State of Arkansas, which became effective August 16, 2013. I request that copies of permit applications, draft permits, proposed final permits, statements of basis, fact sheets, and supporting technical information for such facilities be sent to EPA Region 6, Water Quality Protection Division, for review in accordance with the provisions of 40 CFR § 123.24.

If you have any questions or would like to discuss this matter further, please contact me at (214) 665-7170, or your staff may contact Claudia Hosch, Associate Director, at (214) 665-6464 (email: [hosch.claudia@epa.gov](mailto:hosch.claudia@epa.gov)). We look forward to continuing to work with ADEQ to ensure that the NPDES program in Arkansas is operated in full compliance with the CWA and its implementing regulations.

Sincerely,



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