



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6

1201 ELM STREET, SUITE 500

DALLAS, TEXAS 75270

September 28, 2023

Stacie Wassell, Acting Associate Director
Office of Water Quality
Arkansas Division of Environmental Quality
5301 Northshore Drive
North Little Rock, AR 72118-5317

RE: Arkansas's 2020 Integrated Water Quality Monitoring and Assessment Report

Ms. Wassell:

The U.S. Environmental Protection Agency (EPA) has reviewed the 2020 State of Arkansas Clean Water Act (CWA) § 303(d)/§ 305(b) Integrated Water Quality Monitoring and Assessment Report, which contains Arkansas's Section 303(d) list of water quality limited segments, transmitted June 2, 2022. EPA is taking action to approve all waterbodies identified by Arkansas as impaired on the Section 303(d) list and taking action to add 7 waterbody/parameter pairs to the 2020 list.

In accordance with 40 C.F.R. § 130.7(b)(5), states are required to "assemble and evaluate all existing and readily available water quality-related data to develop the list" required by Section 303(d) of the CWA and 40 C.F.R. § 130.7(b)(1). EPA concludes that Arkansas has met the requirements of 40 C.F.R. § 130.7(b) with regard to all of the waterbody/parameter combinations listed by the State, identified in Enclosure 1. Therefore, EPA approves the State's decision to list these waters.

While EPA is approving all impairments identified by the State of Arkansas on the Section 303(d) list, EPA is taking no action and requesting additional information from Arkansas regarding the development and application of water quality standards on the State's waterbodies subject to minerals Ecoregional Reference values. EPA appreciates the ongoing work being done by the Division of Environmental Quality (DEQ) to update water quality standards pertaining to minerals, and DEQ's expressed commitment to continue working to address minerals water quality standards. EPA remains ready to provide support to the State in these efforts to assure achievement of the State's water quality goals and CWA requirements.

EPA is taking no action at this time and requesting additional information from Arkansas on a small number of waterbody/parameter combinations. EPA requests additional information from the State regarding the impairment status of Cox Creek Lake, Lake Poinsette and Lake Greenlee. EPA is also requesting clarification from the State regarding the appropriate application of water quality standards and assessment methodology to assess Lake Ouachita for mercury (Enclosure 1).

EPA is taking action to add 7 waterbody/pollutant pairs to the 303(d) list. These 7 waterbody/pollutant pairs are in the Illinois River Watershed and are not attaining the State's narrative nutrient criteria based on multiple lines of evidence consistent with the language in the Water Quality Standards (Enclosure 1). The EPA will open a 30-day public comment period seeking input regarding the addition of these waterbody/pollutant pairs to the Arkansas 2020 Section 303(d) List. After considering public comments and making appropriate revisions, the EPA will transfer the 2020 listings to the State.

EPA appreciates Arkansas DEQ's effort to develop the 2020 Integrated Water Quality Monitoring and Assessment Report. If you have any questions or concerns, please feel free to contact me directly at (214) 665-7107, or your staff may contact Richard Wooster, Chief Water Quality Protection Section at (214) 665-6473.

Sincerely,

Charles W. Maguire
Director
Water Division

Enclosure

cc: Shane Khoury, Arkansas Department of Energy and Environment Secretary
Joe Martin, Planning Branch Manager, OWQ
Brie Olsen, Ecologist Coordinator, OWQ