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FOR FURTHER INFORMATION,
PLEASE CONTACT:

Derek Smithee, Chief
Water Quality Programs Division
Oklahoma Water Resources Board
(405) 530-8800

***EPA Approves Phosphorus Standard
For Oklahoma's Scenic Rivers***

The U.S. Environmental Protection Agency has formally approved Oklahoma's 2002 Water Quality Standards, including the new 0.037 milligram per liter criteria for phosphorus in northeast Oklahoma's Illinois River and the other five designated Scenic Rivers in the state.

In a December 29 letter to OWRB Executive Director Duane Smith from Miguel Flores, EPA Region 6 Director of Water Quality Protection, the federal agency commends "the hard work and efforts put forth by the [OWRB] and its staff" in revising standards to protect Oklahoma's water quality. EPA also determined that "Oklahoma's total phosphorus criterion of 0.037 mg/L for its Scenic Rivers is sufficient to protect the designated uses of the affected rivers and is consistent with the requirements for water quality standards established by the [federal] Clean Water Act."

In addition to its review of Oklahoma's Water Quality Standards justification documents, EPA independently considered other sources of data and information related to the OWRB's determination of the recommended phosphorus limit. Citing one such source, a report by the U.S. Geological Survey, published this year, EPA declares that "reported [phosphorus] values corroborate that Oklahoma's adopted criterion is scientifically defensible and protective."

"What is truly satisfying is that EPA validated the science we used in determining what numerical criteria is both most protective and feasible to achieve in addressing the phosphorus problem in our Scenic Rivers, especially the Illinois River," says Smith. "Water Board staff worked hard and gave much consideration prior to arriving at the 0.037 number, which was extremely controversial as well."

According to Smith, EPA also commended the Board's provision allowing point source dischargers 10 years (until June 30, 2012) to come into compliance with effluent limitations based on the phosphorus criterion. "Given the complexity of the issue, the amount of data yet to be gathered and the costs involved, EPA believes the compliance schedule provision... augments rather than undercuts the 0.037 mg/L standard by allowing dischargers the additional time to comply if it is needed," as stated in EPA's letter to Smith

"Specifically, the compliance schedule incorporates a 'tiered approach' that requires the larger municipal dischargers in the Illinois River watershed to obtain federal discharge permits with an initial 1 milligram per liter phosphorus limit," Smith points out. "These five municipalities in

northwest Arkansas—Rogers, Springdale, Siloam Springs, Fayetteville, and Bentonville—are responsible for a large share of the phosphorus contributed to the basin. The compliance schedule allows us to work with the cities, rather than against them, which is vital to achieving long-term health for the Illinois River.”

Last week, environmental officials from Oklahoma and Arkansas entered into an agreement that directs both states to work together to coordinate watershed monitoring and develop joint watershed plans, including both voluntary and mandatory measures, to substantially reduce phosphorus and achieve other water quality goals in the Illinois watershed by 2012. The pact hinges upon anticipated formal agreements with the five northwest Arkansas cities, which alone is expected to result in a 75-percent reduction in point-source phosphorus contributions. Officials also hope to develop similar nutrient reduction agreements with poultry integrators and smaller cities in Arkansas who reside and do business in the basin.

Smith commended the many individuals—especially Attorney General Drew Edmondson and Secretary of the Environment Miles Tolbert—and Arkansas authorities who played an integral role in reaching the agreement. And he thanked EPA staff that facilitated the talks since last year.

Smith emphasizes that although the agreement is a vital and necessary step, much work still remains to be done. “The phosphorus problem is an enormous issue to really get your arms around. It is imperative that we do an exceptional job of monitoring the water quality in the Illinois River to both check our progress and identify areas deserving of more attention. We’ve come a long way, but still have a long way to go.”

For questions or more information concerning Oklahoma’s Water Quality Standards, contact Derek Smithee, Chief of the OWRB’s Water Quality Programs Division, at (405) 530-8800.

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