City of Decatur NPDES Permit: City of Tulsa Metropolitan Utility Authority Filing Before the Arkansas Pollution Control and Ecology Commission Challenging Issuance

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The City of Tulsa, Oklahoma and Tulsa Metropolitan Utility Authority ("Tulsa") filed on November 26th a Request for Administrative Hearing ("Request") before the Arkansas Pollution Control and Ecology Commission objecting to a Clean Water Act National Pollutant Discharge Elimination System ("NPDES") Permit issued to the City of Decatur, Arkansas.

Tulsa's Request seeks:

- A formal hearing and review process regarding the issuance of the NPDES Permit.
- That the effectiveness of the new permit and conditions created by its issuance be stayed until a formal decision regarding the Permit has been reached after review.

Tulsa alleges that it will be directly and negatively impacted by the issuance of NPDES Permit because increased flow into the Waste Water Treatment Plant and discharge from the Decatur WWTP will:

… only result in greater pollution to the watershed Tulsa utilizes for clean water and result in damage to the people of Oklahoma and Northwest Arkansas.

Tulsa also alleges that the issuance of the NPDES Permit is in violation of a Settlement Agreement involving the City of Decatur and several chicken producers in the United States District Court for the Northern District of Oklahoma in The City of Tulsa, et. al., v. Tyson Foods, et. al.

The Arkansas Department of Energy and Environment – Division of Environmental Quality will be a party to this request and to the defense of the issued NPDES Permit.

A copy of the Request can be found here.