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State of Arkansas Waters: Dr. Felicia Osburn (Ecologist Supervisor - ADEQ Office of Water Quality) Arkansas Rural Water Association Technical Conference Presentation

09/24/2026

Dr. Felicia Osburn, Ph.D., undertook a presentation at the Arkansas Rural Water Association Technical Conference titled:

STATE OF ARKANSAS WATERS ("Presentation").

Dr. Osburn serves as the Ecologist Supervisor in the Arkansas Department of Energy and Environment – Division of Environmental Quality ("ADEQ") Office of Water Quality.

The Presentation covered two principal topics:

- Data assessment process.
- 2026 Arkansas 303(d) list of impaired waters.

In addressing the data assessment process, Dr. Osburn discussed the:

- ADEQ Office of Water Quality planning branches and their relevant functions.
- Clean Water Act 303(d)/305(b) assessments.
- 303(d) utilizes available/credible data taken within a period of record used against the developed standards to determine if any waterbodies are impaired.
- 305(b) includes all assessed waters of the state as well as additional information regarding other Clean Water Act responsibilities.

The components of the assessment process were reviewed, which include:

- Call for data.
- Occurs in May of every odd year.
- Data is also pulled from United States Environmental Protection Agency ("EPA") water quality portal.
- Quality assurance/quality control checks.
- Data (external and internal) is checked for any flags, applicable QAPPs, and lab accreditation.
- List of questions such as "is the data associated with an appropriate QAPP?"
- Database creation.
- Accepted data is checked for duplicates and distribution requirements.

- Assessment data storage/connection to internal server/includes details on site, submitting organization, and any important metadata.
- Assessment.
- Usable data is assessed for all parameters, and a draft list is created.
- Assessment methodology.
- Office of Water Quality reviews.
- Methodology reflects the most recently approved Water Quality Standards (“WQS”).
- Assessment Process.
- Public comment.
- 305(b) report, noting its finalization after the public comment period.
- After the comment period, this document includes but is not limited to:
 - Detailed assessment results.
 - An estimated cost/benefit analysis of the economic value Clean Water Act activities bring to the state.
 - An overview of other Clean Water Act requirements.
- EPA Submission.
- The final list is submitted to EPA for approval by April 1st of even years.

The Presentation then discussed the 2026 Clean Water Act 303(d) list. Note that Section 303 of the Clean Water Act requires that each state develop WQS for jurisdictional Waters of the United States within their borders.

WQS serve a dual purpose. They establish the water quality goals for a specific waterbody and also serve as a regulatory basis for the development of water quality-based effluent limits and strategies for individual point source dischargers. The particular WQS deemed applicable to a waterbody can therefore be an important determinant of the effluent limits a discharging facility will need to attain.

WQS consist of three parts:

1. Designated use of the waterbody;
2. The water quality criteria that are necessary to protect existing uses and to attain the beneficial uses designated by the states; and,
3. An antidegradation statement or policy to protect existing uses in high-quality water.

Section 303 of the Clean Water Act requires that the states assess water quality monitoring data from various locations. A state is then required to utilize an assessment methodology to determine which waters are not meeting their designated uses for WQS.

Dr. Osburn’s Presentation reviewed the 303(d) list categories, noting:

1. All Designated Uses are met1a – Does not have a TMDL (Total Maximum Daily Load).
2. Some, but not all, Designated Uses are met.
3. Insufficient data and/or information are available to make a use support determination.
4. WQS are not attained for one or more designated uses but the development of a TMDL is not required for certain specified reasons.
5. Water Quality is Impaired or Threatened & TMDL is needed.

The 2026 303(d) is the most recently EPA approved list, referencing:

- Reported as parameter-pairs.
- Assessment unit + impaired parameter.
- 622 impaired parameter-pairs within categories 5, 4b, and 5-r.

- The 2024 and 2026 lists were jointly approved by EPA on May 21, 2026.

A discussion was undertaken of each of these categories:

- Category 1b
- Category 4A
- Category 5
- Category 5-r/4b
- For each, the number of impaired parameter-pairs, highest number of impairments, and listing status was reviewed.

Finally, the Integrated Water Quality Monitoring Assessment Report was discussed, which is prepared pursuant to Section 305(b) and 303(d) of the Federal Pollution Control Act.

A copy of Dr. Osburn's slides can be found [here](#).