

NASHVILLE
Docket 91-077

ARKANSAS DEPARTMENT OF POLLUTION CONTROL AND ECOLOGY

LOCATION - SUBJECT
Petition of Tyson Foods,
Inc. for Third Party
Rulemaking

MINUTE ORDER NO. 95- 002

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Tyson Foods, Inc. and Howard County Water Facilities filed a petition for third party rulemaking for amendment to Regulation No. 2, "Regulation Establishing Water Quality Standards for Surface Waters of Arkansas."

Commission Minute Order 94-72 approved initiation of rulemaking. A public hearing and a 45-day public comment period were held.

The Department staff has determined that the petitioner has provided all information required in accordance with the Administrative Guidance Document for modification of minerals standards and that the information submitted indicates no significant impairment of the aquatic life communities in the receiving waters.

A Statement of Basis and Purpose and Responsive Summary to public comments was prepared for Commission review.

It is therefore, ORDERED

1. That Regulation No. 2 be amended to change the numeric water quality standards as follows: Mine Creek from Highway 27 in Nashville to Millwood Reservoir, chlorides to 90 mg/l, sulfates to 65 mg/l and TDS to 700 mg/l; and that the drinking water use designation be removed from the above-described segment of Mine Creek.
2. That the Statement of Basis and Purpose and Responsive Summary submitted by the Department and the Statement of Basis and Purpose and Responsive Summary submitted by Tyson Foods, Inc. are adopted by the Commission as part of this rulemaking proceeding.

