

ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION

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

MINUTE ORDER NO. 95-003

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Tyson Foods, Inc. 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 94-78 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 water quality standards as follows: (1) unnamed tributary to Poteau River, sulfates 70 mg/l, chlorides 150 mg/l, total dissolved solids 660 mg/l; (2) Poteau River from Business Highway 71 to Oklahoma state line, sulfates 60 mg/l, chlorides 120 mg/l, total dissolved solids 500 mg/l; and (3) the drinking water designated use for these waterbodies be removed.
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.

