

NOTICE OF PROPOSED THIRD-PARTY RULEMAKING, PUBLIC HEARINGS

The Arkansas Pollution Control and Ecology Commission (PC&EC) will hold public hearings at North Little Rock and Perryville, Arkansas, in May and June of 2008 to receive comments on a third-party proposal by Central Arkansas Water (CAW) to change PC&EC Regulation No.6, which deals with the National Pollutant Discharge Elimination System (NPDES) in Arkansas.

The North Little Rock hearing will begin at 2:00 p.m. May 27, 2008, in the Commission Room at the Arkansas Department of Environmental Quality (ADEQ) headquarters building, 5301 Northshore Drive. The Perryville hearing will be held at 6:00 p.m. June 2, 2008, in the Perryville High School Cafeteria, 325 Houston Street.

Sections 3.4.1 through 3.4.4 of PC&EC Regulation No. 8 (Administrative Procedures), and the Arkansas Code, Annotated, Section 8-4-202(c) provide that outside parties may petition the PC&EC to initiate the rulemaking process to adopt or amend regulations under the PC&EC's jurisdiction. Commission authority to amend Regulation No. 6 is found in Arkansas Code Annotated, Section 8-4-202 et seq.

The fact that the PC&EC has agreed to initiate such a third-party rulemaking procedure does not constitute an endorsement of the proposal at this time. The PC&EC will decide whether to adopt the proposed changes after the conclusion of the public comment period for the proposal and after CAW and the ADEQ staff respond to all public comments submitted.

The ADEQ administers the NPDES program in Arkansas, under delegation from the U.S. Environmental Protection Agency (EPA), by issuing permits for wastewater discharges to the waters of the state, and monitoring and enforcing permit conditions and operations.

CAW proposes to change Regulation 6 by adding language which would prohibit all surface discharges of wastewater, except storm water discharges permitted under the NPDES program, into the Lake Maumelle Basin. Lake Maumelle serves as the public drinking water supply source for the water distribution system operated by CAW, which serves 17 cities and communities in the central Arkansas area. The Lake Maumelle Basin includes portions of Pulaski, Perry, and Saline Counties.

Detailed copies of the proposed regulation change, along with support documents and summary information, are available for public inspection during normal business hours in the Public Outreach and Assistance Division, located on the second floor of the ADEQ's North Little Rock office, and in ADEQ information depositories located in the main branch of the Little Rock Public Library, 100 Rock Street, and in the Arkansas State Library located on the State Capitol grounds at Little Rock. A full set of documents for the proposal also will be available for public inspection during normal business hours at the Max Milam Branch of the Central Arkansas Library System, 609 Aplin Avenue, in Perryville.

In addition, summary information concerning the proposal is available at other ADEQ information depositories located in public libraries at Arkadelphia, Batesville, Blytheville, Camden, Clinton, Crossett, El Dorado, Fayetteville, Forrest City, Fort Smith, Harrison, Helena, Hope, Hot Springs, Jonesboro, Magnolia, Mena, Monticello, Mountain Home, Pocahontas, Russellville, Searcy, Stuttgart, Texarkana, and West Memphis; and in campus libraries at the University of Arkansas at Pine Bluff and the University of Central Arkansas at Conway.

Information concerning the proposed changes also can be viewed and downloaded at the ADEQ's Internet web site at the following URL address: www.adeq.state.ar.us.

Oral and written comments on the proposed changes to Regulation No. 6 will be accepted at the hearings, but written comments are preferred in the interest of accuracy. In addition, written or electronic mail comments will be accepted if received no later than 4:30 p.m. June 16, 2008. Written comments should be sent to Doug Szenher, public/media affairs manager, Arkansas Department of Environmental Quality, Public Outreach and Assistance Division, 5301 Northshore Drive, North Little Rock, AR 72118. Electronic mail comments should be sent to the following address: reg-comment@adeq.state.ar.us.

Published April 3 and 4, 2008,

Teresa Marks, Director,
Arkansas Department of Environmental Quality