

## **NOTICE OF PUBLIC HEARINGS FOR PROPOSED REGULATION 2 CHANGES**

The Arkansas Pollution Control and Ecology Commission will hold 10 public hearings during November and December of 2006 and January of 2007 to receive public comments on proposed changes to Commission Regulation No. 2 (Arkansas Water Quality Standards) developed through the Triennial Review process initiated earlier this year.

Commission authority to revise Regulation No. 2 is found in the Arkansas Code Annotated, Section 8-4-101, et seq.

The schedule for public hearings is as follows:

- November 16, 2006, Arkansas State University at Mountain Home, Dreyer Hall, McMullin Lecture Hall, 1600 S. College, Mountain Home.
- November 20, 2006, Terrace Room, Clarion Inn, 1255 S. Shiloh, Fayetteville
- November 27, 2006, South Arkansas Community College, East Campus, Center for Workforce Development Building, Room 121, 3698 E. Main, El Dorado.
- December 4, 2006, Northridge Middle School Cafeteria, 120 Northridge Drive, Van Buren.
- December 11, 2006, Harrison High School Commons Area, 925 Goblin Drive, Harrison.
- January 4, 2007, National Park Community College Student Center, 101 College Drive, Hot Springs.
- Also January 4, 2007, Montgomery County Courthouse, 105 Highway 270 East, Mount Ida.
- January 18, 2007, Doc Bryan Student Center, Room 242, Arkansas Tech University, 1605 Coliseum Drive, Russellville.
- Also January 18, 2007, Garrison Activity Center, Room D 121 A, Henderson State University, 1100 Henderson Street, Arkadelphia.
- January 22, 2007, Arkansas Department of Environmental Quality Building G Commission Room, No. 1 State Police Plaza, Little Rock.

All hearings except the Little Rock event will begin at 6:00 p.m. The Little Rock hearing will start at 2:00 p.m.

Proposed changes to Regulation No. 2 include:

- Addition of a new section (2.310) that establishes procedures for the removal of the designated uses of Extraordinary Resource Water (ERW), Ecologically Sensitive Waterbody (ESW), and Natural and Scenic Waterway (NSW) for the purpose of constructing a reservoir on a free flowing waterbody to provide a domestic water supply.
- Addition of a new section (2.311) that establishes a procedure for the addition of the designated uses of ERW, ESW, and NSW to a waterbody or section of a waterbody.
- Changes to Section 2.304 providing for the physical alteration of a waterbody habitat if it does not impair water quality, the natural flow regime, or the habitat of fish, shellfish, or

other forms of aquatic life, and if there is no feasible alternative to the proposed alteration project.

- Addition of a new Appendix D outlining procedures for obtaining approval for the physical alteration of an ERW, ESW, or NSW.
- Addition of a new Appendix E outlining criteria to be considered when determining whether the existing designated use of an ERW, EWS, or NSW should be maintained.
- Addition of a new Appendix F outlining factors to be considered before adding a designated use of ERW, ESW, or NSW to a waterbody or waterbody segment.

Copies of the proposed Regulation No. 2 changes are available for public inspection at the ADEQ's Little Rock office at the Public Outreach and Assistance Division in Building D, 8101 Interstate Highway 30; on the ADEQ Internet web site at [www.adeq.state.ar.us](http://www.adeq.state.ar.us) ; or at 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, Little Rock, Magnolia, Mena, Monticello, Mountain Home, Pocahontas, Russellville, Searcy, Stuttgart, Texarkana, and West Memphis; in campus libraries at the University of Arkansas at Pine Bluff and the University of Central Arkansas at Conway; and in the Arkansas State Library located on the State Capitol grounds at Little Rock.

Oral and written statements will be accepted at the hearings, but written comments are preferred in the interests of accuracy. In addition, written and electronic mail comments will be accepted if received no later than 4:30 p.m. February 5, 2007. Written comments should be mailed to Doug Szenher, Public Outreach and Assistance Division, Arkansas Department of Environmental Quality, P.O. Box 8913, Little Rock, AR 72219-8913, or sent by electronic mail to [reg-comment@adeq.state.ar.us](mailto:reg-comment@adeq.state.ar.us) .

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