

NOTICE OF PROPOSED REGULATION CHANGE, PUBLIC HEARINGS

The Arkansas Pollution Control and Ecology Commission (APC&EC) is providing a public comment period and will hold four public hearings during July of 2010, to receive public comments on proposed changes to Commission Regulation 2 (Arkansas Water Quality Standards) developed through the Triennial Review process for the regulation. The deadline for submitting written comments on the proposed changes is 4:30 p.m. August 4, 2010.

The schedule for the public hearings on Regulation 2 is as follows:

- July 13, 2010, 6:00 p.m., Clarion Inn, Terrace Rooms 3 and 4, 1255 South Shiloh, Fayetteville, AR 72701.
- July 15, 2010, 6:00 p.m., Jonesboro High School Auditorium, 301 Hurricane Drive, Jonesboro, AR 72401.
- July 19, 2010, 6:00 p.m., Arkadelphia Parks and Recreation Department Multi-Purpose Building, 2555 Twin Rivers Drive, Arkadelphia, AR 72923.
- July 21, 2010, 2:00 p.m., Arkansas Department of Environmental Quality (ADEQ) headquarters building, 5301 Northshore Drive, North Little Rock, AR 72118.

Commission authority to revise Regulation No. 2 is found in the Arkansas Code Annotated Section 8-4-101, et seq., and Section 303 of the Federal Clean Water Act.

In the event of inclement weather or other unforeseen circumstances, a decision may be made to postpone one or more hearings. If any hearing is postponed and rescheduled, a new legal notice will be published to announce the details of the new hearing date and comment period.

Proposed significant changes to Regulation 2 include:

- Addition, deletion, clarification, and modification of various entries in the Definitions section, as well as terms used throughout the regulation;
- Changes to Reg. 2.304 regarding physical alteration of habitat;
- Revision of Reg. 2.405 concerning biological integrity issues;
- Changes to Reg. 2.505 concerning dissolved oxygen standards;
- Revision of Reg. 2.507 language concerning bacteria standards and primary contact recreation designations for streams in watersheds smaller than 10 square miles;
- New language in Reg. 2.509 involving site-specific nutrient criteria for Beaver Lake, and deletion of language regarding phosphorus limits in some waterbodies;
- Clarification of oil and grease standards in Reg. 2.510;
- Revision of mineral standards in Reg. 2.511;
- Clarification of ammonia standards in Reg. 2.512.
- Numerous changes to Appendix A, including replacement of existing maps, and changes to specific standards and designated uses for certain streams;
- Changes to Appendix C dealing with scientific names of fishes;
- And significant revisions to Appendix D concerning physical alteration of habitat language in accordance with directives from the United States Environmental Protection Agency, plus addition of a current listing of streams designated as Extraordinary Resource Waters, Natural and Scenic Waterways, and Ecologically Sensitive Water Bodies.

In addition to receiving comments on these proposed changes, the ADEQ is requesting the public to provide information during the comment period on any economic impacts associated with the changes proposed for Regulation 2.

Copies of the proposed Regulation 2 changes are available for public inspection during normal business hours at the ADEQ's North Little Rock office at the Public Outreach and Assistance Division on the second floor, and 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, 900 West Capitol, Suite 100, Little Rock. In addition, a copy of the draft regulation showing the proposed changes, along with related support documents, including the economic impact/environmental benefit analysis prepared for the proposed rulemaking package, is available for viewing or downloading at the ADEQ's Internet web site located at www.adeq.state.ar.us.

Oral and written statements will be accepted at the hearings, but written comments are preferred in the interest of accuracy. In addition, written and electronic mail comments will be accepted if received no later than 4:30 p.m. August 4, 2010. Written comments should be mailed to Doug Szenher, Public Outreach and Assistance Division, Arkansas Department of Environmental Quality, 5301 Northshore Drive, North Little Rock, AR 72118, or sent by electronic mail to: reg-comment@adeq.state.ar.us.

Published May 30 and 31, 2010,

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