

## **NOTICE OF PROPOSED THIRD-PARTY RULEMAKING, PUBLIC HEARING**

The Arkansas Pollution Control and Ecology Commission (PC&EC) will hold a public hearing at El Dorado, Arkansas, November 13, 2006, to receive comments on a third-party proposal by El Dorado Chemical Company (EDCC) to change the Arkansas Water Quality Standards (PC&EC Regulation No. 2) for several streams affected by the EDCC wastewater discharge. The hearing will be at the South Arkansas Community College, East Campus, Center for Workforce Development Building, Room 121, 3698 E. Main, El Dorado.

The exact starting time for EDCC hearing will depend upon the completion of another public hearing being held at the same location involving a third-party proposal by Great Lakes Chemical Corporation (GLCC) to change Regulation No. 2 with regard to GLCC's wastewater discharge. The GLCC hearing will start at 6:00 p.m., and the EDCC hearing will begin immediately after the GLCC hearing adjourns. Information regarding the GLCC proposal can be found in a separate legal notice in this newspaper.

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. Arkansas Statute 8-4-201(3) authorizes the PC&EC to adopt water quality standards for the State of Arkansas.

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 GLCC and the Arkansas Department of Environmental Quality (ADEQ) staff respond to all public comments submitted.

The EDCC proposal would revise Regulation No. 2 as follows:

- Modify the chloride, sulfate, and total dissolved solids standards for an unnamed tributary of Flat Creek to the mouth of Salt Creek, and remove the designated, but not existing, domestic water supply use classification for the stream;
- Modify the chloride, sulfate, and total dissolved solids standards for a second unnamed tributary of Flat Creek from the EDCC discharge point to its confluence with the first unnamed tributary of Flat Creek, and remove the designated, but not existing, domestic water supply use classification for the stream;
- Modify the chloride, sulfate, and total dissolved solids standard for a portion of Flat Creek from its confluence with the previously mentioned first unnamed tributary to Flat Creek's confluence with Haynes Creek, and remove the designated, but not existing, domestic water supply use classification for the stream.
- And modify the chloride, sulfate and total dissolved solids standards for Haynes Creek from its confluence with Flat Creek and Salt Creek to Haynes Creek's confluence with Smackover Creek, and remove the designated, but not existing domestic water supply use classification for the stream.

Detailed copies of the proposed regulation change, along with support documents and summary information, are available for public inspection at the ADEQ's Little Rock office in the Public Outreach and Assistance Division, Building D, 8101 Interstate 30, and in ADEQ information depositories located in public libraries at El Dorado, Camden, Crossett, Magnolia, and Monticello. In addition, summary information concerning the proposal is available at other ADEQ information depositories located in public libraries at Arkadelphia, Batesville, Blytheville, Clinton, Fayetteville, Forrest City, Fort Smith, Harrison, Helena, Hope, Hot Springs, Jonesboro, Little Rock, Mena, 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, and in the Arkansas State Library located on the State Capitol grounds at Little Rock.

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](http://www.adeq.state.ar.us) .

Oral and written comments on the proposed change to Regulation No. 2 will be accepted at the hearing, but written comments are preferred in the interests of accuracy. In addition, written or electronic mail comments will be accepted if received no later than 4:30 p.m. November 29, 2006. Written comments should be sent to Doug Szenher, public/media affairs manager, Arkansas Department of Environmental Quality, Public Outreach and Assistance Division, P.O. Box 8913, Little Rock, AR 72219-8913. Electronic mail comments should be sent to the following address: [reg-comment@adeq.state.ar.us](mailto:reg-comment@adeq.state.ar.us) .

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