

## **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, December 19, 2006, to receive comments on a third-party proposal by Lion Oil Company to change the Arkansas Water Quality Standards (PC&EC Regulation No. 2) for two streams affected by Lion's wastewater discharge. The hearing will begin at 6:00 p.m. in the Arkansas Oil and Gas Commission Building, 2215 W. Hillsboro, El Dorado.

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

The Lion Oil proposal would revise Regulation No. 2 as follows:

- Modify the chloride, sulfate and total dissolved solids (TDS) standards for Loutre Creek from State Highway 15 South downstream to the creek's confluence with Bayou de Loutre (referred to as the "Loutre Creek Segment" in the formal proposal), and for Bayou de Loutre from that point downstream to the City of El Dorado's South Plant wastewater discharge;
- Modify the sulfate and TDS standard in Bayou de Loutre from the City of El Dorado's South Plant wastewater discharge downstream to the mouth of Boggy Creek;
- Modify the sulfate standard in Bayou de Loutre from the mouth of Gum Creek downstream to the Arkansas-Louisiana state line;
- And remove the designated, but not existing, domestic water supply use for the "Loutre Creek Segment" and for Bayou de Loutre from the mouth of Loutre Creek to the mouth of Gum Creek.

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

Oral and written comments on the proposed changes 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. January 5, 2007. 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) .

Published November 1 and 2, 2006,

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