

# **EXHIBIT G**

## **Proposed Public Notice**

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

The Arkansas Pollution Control and Ecology Commission (PC&EC) will hold a public hearing in Little Rock, Arkansas on \_\_\_\_\_, to receive comments on a third-party proposal by McGeorge Contracting Co., Inc. to change the Arkansas Water Quality Standards (PC&EC Regulation No. 2) for certain streams affected by the McGeorge Contracting Co., Inc. discharge. The hearing will be in the Commission Room at the Arkansas Department of Environmental Quality (ADEQ) Little Rock office at 5301 Northshore Drive, North Little Rock, Arkansas 72118.

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 regulation 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 McGeorge Contracting Co., Inc. and the Arkansas Department of Environmental Quality (ADEQ) staff responds to all public comments submitted.

The McGeorge Contracting Co., Inc. proposal would revise Regulation No. 2 as follows:

- a. modify the dissolved minerals criteria for the McGeorge Creek to confluence with Willow Springs Branch as follows:
  - Sulfate from 41.3 mg/L to 257 mg/L
  - TDS from 138 mg/L to 432 mg/L
- b. modify the dissolved minerals criteria for Willow Springs Branch between confluences with McGeorge Creek and Little Fourche Creek as follows:
  - Sulfate from 41.3 mg/L to 112 mg/L
  - TDS from 138 mg/L to 247 mg/L
- c. modify the dissolved minerals criteria for Little Fourche Creek between confluences with Willow Springs ranch and Fourche Creek as follows:
  - Sulfate: NO CHANGE
  - TDS from 138 mg/L to 179 mg/L

Detailed copied of the proposed regulation change, along with support documents and summary information, are available for public inspection at the ADEQ's Little Rock office at 5301 Northshore Drive, North Little Rock, Arkansas 72118, and in ADEQ information depositories located the main branch of the public library in Little Rock. 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, 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.ar.us](http://www.adeq.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. \_\_\_\_\_, 2009. Written comments should be sent to Doug Szenher, public/media affairs manager, Arkansas Department of Environmental Quality, 5301 Northshore Drive, North Little Rock, Arkansas 72118. 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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