

NOTICE OF PROPOSED THIRD-PARTY RULEMAKING, PUBLIC HEARING

The Arkansas Pollution Control and Ecology Commission (APC&EC) will hold a public hearing at Jonesboro June 17, 2010, to receive comments on a third-party proposal by Jonesboro City Water and Light (JCWL) to change APC&EC Regulation 2, the Arkansas Water Quality Standards. The hearing will begin at 6:00 p.m. in the Jonesboro High School Auditorium, 301 Hurricane Drive, Jonesboro, AR 72401.

The deadline for submitting written comments on the proposed changes is 4:30 p.m. July 1, 2010.

Sections 3.4.1 through 3.4.4 of APC&EC Regulation 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 APC&EC's jurisdiction. APC&EC authority to amend Regulation 2 is found in Arkansas Code Annotated, Section 8-4-201 et seq.

The fact that the APC&EC has agreed to initiate such a third-party rulemaking procedure does not constitute an endorsement of the proposal at this time. The APC&EC will decide whether to adopt the proposed changes after the conclusion of the public comment period for the proposal and after JCWL and the Arkansas Department of Environmental Quality (ADEQ) respond to all public comments submitted during the open comment period.

JCWL proposes to revise Regulation 2 by changing the water quality standards for three streams which eventually receive the municipal wastewater discharge from JCWL's West Plant, which discharges to an unnamed tributary to Big Creek. The proposal would change the streams' dissolved minerals standards as follows:

- Modifying the standards for the entire length of the unnamed tributary to Big Creek by increasing the Chloride standard from 48 milligrams per liter (mg/l) to 71 mg/l; increasing the Sulfate standard from 37.3 mg/l to 60 mg/l; and increasing the Total Dissolved Solids (TDS) standard from 411.3 mg/l to 453 mg/l;
- Modifying the standards for Big Creek from the mouth of the unnamed tributary to Whistle Ditch by increasing the Chloride standard from 48 mg/l to 58 mg/l, and increasing the Sulfate standard from 37.3 mg/l to 49 mg/l;
- Modifying the standards for Bayou DeView from Whistle Ditch to Arkansas Highway 14 to match the Delta Ecoregion standards by increasing the Chloride standard from 20 mg/l to 48 mg/l; increasing the Sulfate standard from 30 mg/l to 38 mg/l; and increasing the TDS standard from 270 mg/l to 411.3 mg/l;
- And modifying the standards for Bayou DeView from Arkansas Highway 14 to its mouth to match the Delta Ecoregion standards by increasing the Chloride standard from 20 mg/l to 48 mg/l; increasing the Sulfate standard from 30 mg/l to 37.3 mg/l; and increasing the TDS standard from 270 mg/l to 411.3 mg/l.

Detailed copies of the proposed JCWL regulation change, along with support documents and summary information, are available for public inspection during normal business hours in the Public Outreach and Assistance Division, located on the second floor of the ADEQ's North Little Rock office, and in ADEQ information depositories located in public libraries at Blytheville, Forrest City, Jonesboro, Searcy, West Memphis, and the main branch of the Little Rock Public Library, 100 Rock Street, and the Arkansas State Library, 900 West Capitol, Suite 100, Little Rock.

In addition, summary information concerning the proposal is available at other ADEQ information depositories located in public libraries at Arkadelphia, Batesville, Camden, Clinton, Crossett, El Dorado, Fayetteville, Fort Smith, Harrison, Helena, Hope, Hot Springs, Magnolia, Mena, Monticello, Mountain Home, Pocahontas, Russellville, Stuttgart, and Texarkana; and in campus libraries at the University of Arkansas at Pine Bluff and the University of Central Arkansas at Conway.

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.

Oral and written comments on the proposed changes to Regulation 2 will be accepted at the hearing, but written comments are preferred in the interest of accuracy. In addition, written or electronic mail comments will be accepted if received no later than 4:30 p.m. July 1, 2010. Written comments should be sent to Doug Szenher, Arkansas Department of Environmental Quality, Public Outreach and Assistance Division, 5301 Northshore Drive, North Little Rock, AR 72118. Electronic mail comments should be sent to the following address: reg-comment@adeq.state.ar.us.

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