

---

On June 14, 2010, UMETCO Minerals Corporation filed its petition with the Arkansas Pollution Control and Ecology Commission ("Commission") to initiate Third-Party Rulemaking to amend Regulation No. 2. The Commission authorized the initiation of rulemaking by Minute Order No. 23 dated June 25, 2010. A public hearing was held on August 6, 2010, and the public comment period ended on September 20, 2010.

In accordance with Regulation No. 8, a Statement of Basis and Purpose and a Responsiveness Summary to the public comments received was submitted to the Commission by UMETCO Minerals Corporation and by the Arkansas Department of Environmental Quality ("ADEQ").

**IT IS, THEREFORE, ORDERED:**

1. That the rule proposed by UMETCO Minerals Corporation for modification of the Water Quality Standards for Wilson Creek is as follows:

- (1) Wilson Creek from a point approximately 0.85 mile upstream of Outfall 001 to Outfall 001:

TDS from 142 mg/L to 500 mg/L  
Sulfate from 20 mg/L to 250 mg/L  
Chloride from 15 mg/L to 56 mg/L

- (2) Wilson Creek downstream of Outfall 001 to its mouth:

TDS from 142 mg/L to 500 mg/L  
Sulfate from 20 mg/L to 250 mg/L  
Chloride from 15 mg/L to 56 mg/L

2. That the Statement of Basis and Purpose of the Responsiveness Summary submitted by UMETCO Minerals Corporation and by ADEQ are adopted by the Commission as part of this rulemaking proceeding.

3. That the ADEQ staff is directed to make these changes to Regulation No. 2.



ARKANSAS POLLUTION CONTROL  
AND ECOLOGY COMMISSION

AMENDMENT TO  
REGULATION NO. 2  
UMETCO MINERALS  
CORPORATION

DOCKET NO. 10-005-R

MINUTE ORDER NO. 11-\_\_\_\_\_

Page 2 of 2

---

PROMULGATED THIS 26<sup>th</sup> DAY OF AUGUST, 2011, BY ORDER OF THE  
ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION

By: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
Teresa Marks, Director

APPROVED: \_\_\_\_\_  
Mike Beebe, Governor

**COMMISSIONERS**

\_\_\_\_\_ **J. Bates**

\_\_\_\_\_ **L. Bengal**

\_\_\_\_\_ **S. Henderson**

\_\_\_\_\_ **D. Hendrix**

\_\_\_\_\_ **S. Jorgensen**

\_\_\_\_\_ **D. Samples**

\_\_\_\_\_ **J. Shannon**

\_\_\_\_\_ **L. Sickel**

\_\_\_\_\_ **J. Simpson**

\_\_\_\_\_ **W. Thompson**

\_\_\_\_\_ **B. White**

\_\_\_\_\_ **R. Young**

\_\_\_\_\_ SUBMITTED BY: William A. Eckert  
John Chamberlain, Chair

PASSED: August 26, 2011