

Alcoa Inc. (“Alcoa”) filed a petition for third-party rulemaking to amend Regulation No. 2 “Regulation Establishing Water Quality Standards for Surface Waters of the State of Arkansas” on September 3, 2010.

Arkansas Pollution Control and Ecology Commission Minute Order No. 10-36 authorized the initiation of rulemaking. One public hearing and a 45-day public comment period were held. No public comments were received. In accordance with Regulation No. 8, Statements and Basis and Purpose as well as Responsiveness Summaries were prepared for Commission review by both Alcoa and ADEQ.

It is therefore, ORDERED:

1. That Regulation No. 2 be amended to change the chronic selenium standard for Holly Creek to 17 µg/l for a period of time not to exceed fifteen (15) years from the effective date of the change while Alcoa carries out the Environmental Improvement Project (“EIP”) to develop a technically and economically feasible treatment or source reduction technology.

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

3. That the ADEQ staff is directed to make this change to Regulation No. 2.

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PROMULGATED THIS 22<sup>nd</sup> DAY OF JULY, 2011, BY ORDER OF THE  
ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION.

COMMISSIONERS:

JAB J. Bates  
LB L. Bengal  
JCC J. Chamberlin  
SH S. Henderson  
D. Hendrix  
BSJ S. Jorgensen  
MS D. Samples

JTS J. Shannon  
LS L. Sickel  
JS J. Simpson  
W. Thompson  
BW B. White  
R. Young

ATTEST: Teresa Marks  
Teresa Marks, Director

D Hendrix SUBMITTED BY: Marcella Taylor  
Chair, D. Hendrix

DATE PASSED: 7/22/11