

NOTICE OF PROPOSED THIRD-PARTY RULEMAKING PUBLIC HEARING

The Arkansas Pollution Control and Ecology Commission (APC&EC) will hold a public hearing at Fayetteville on March 27, 2017 to receive comments on a third-party proposal by the City of Fayetteville Paul R. Noland Wastewater Treatment Plant (Noland WWTP) to change APC&EC Regulation 2, the Arkansas Water Quality Standards, for chloride (Cl), Sulfate (SO⁴) and total dissolved solids (TDS) for the White River from the discharge of the Noland Wastewater Treatment Plant to ADEQ monitoring station WH10052. The hearing will begin at 6:00 p.m. in the Walker Community Room of the Fayetteville Public Library, 401 W. Mountain St.

In the event of inclement weather or other unforeseen circumstances, a decision may be made to postpone the hearing. If the hearing is postponed and rescheduled, a new legal notice will be published to announce the details of the new hearing date and comment period.

The deadline for submitting written comments on the proposed changes is 4:30 p.m. (Central Time), April 10, 2017.

Sections 8.809 through 8.811 of APC&EC Regulation 8 (Administrative Procedures), and Arkansas Code Annotated, Section 8-4-202 (c) provide that outside parties may petition the APC&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 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 the City of Fayetteville and the Arkansas Department of Environmental Quality (ADEQ) respond to all public comments submitted during the open comment period.

The Noland WWTP discharges treated municipal wastewater under the provisions of NPDES Permit No. AR0020010 issued by ADEQ. The Noland WWTP treats the municipal wastewater from the cities of Fayetteville, Elkins, Greenland, Farmington and Johnson, as well as industrial and commercial enterprises. The Noland WWTP is requesting the following amendments to Regulation 2 for the White River from the discharge of the Noland WWTP to ADEQ monitoring station WH10052:

From the Noland WWTP to WR-02:

Cl from 20 mg/L to 44 mg/L
SO⁴ from 20 mg/L to 79 mg/L
TDS from 160 mg/L to 362 mg/L

From WR-02 to ADEQ monitoring station WH10052:

Cl from 20 mg/L to 30 mg/L
SO⁴ from 20 mg/L to 40 mg/L
TDS from 160 mg/L to 237 mg/L

Detailed copies of the proposed regulation change, along with supporting 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 ADEQ's North Little Rock Office, and in ADEQ information depositories located in public libraries at Fayetteville,

Fort Smith, Harrison, Mountain Home, the main branch of the Little Rock Public Library, 100 Rock Street, and the Arkansas State Library, 900 West Capitol, Suite 100, Little Rock, AR.

In addition, summary information concerning the proposal is available at other ADEQ information depositories located in public libraries at Arkadelphia, Batesville, Blytheville, Camden, Clinton, Crossett, El Dorado, Forrest City, Helena, Hope, Hot Springs, Jonesboro, Magnolia, Monticello, Mena, 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.

Information concerning the proposed changes also can be viewed and downloaded at the ADEQ's web site at the following URL address: www.adeg.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. (Central Time), April 10, 2017. Written comments should be sent to Kelly Robinson, Arkansas Department of Environmental Quality, Office of Law and Policy, 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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Becky W. Keogh
Director,
Arkansas Department of Environmental Quality