

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 February 13, 2014 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 minerals for the White River from the discharge of the Noland Wastewater Treatment Plant to immediately downstream of the confluence of Richland Creek. 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), February 27, 2014.

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, sometimes Farmington and Johnson, as well as industrial and commercial enterprises. The Noland WWTP is requesting the following amendment to Regulation 2 for the White River from the discharge of the Noland WWTP to immediately downstream of the confluence of Richland Creek:

Chloride (Cl) from 20 mg/L to 60 mg/L
Sulfate (SO⁴) from 20 mg/L to 100 mg/L
Total dissolved solids (TDS) from 160 mg/L to 440 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.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. (Central Time), February 27, 2014. 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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