

NOTICE OF PROPOSED THIRD-PARTY RULEMAKING, PUBLIC HEARING

The Arkansas Pollution Control and Ecology Commission (APC&EC) will hold a public hearing at Hope on November 17, 2014, to receive comments on a third-party proposal by the Southwestern Electric Power Company John W. Turk, Jr. Power Plant (SWEPCO facility) to change APC&EC Regulation 2, the Arkansas Water Quality Standards, for the Little River from Millwood Lake to the Red River and for the Red River from the mouth of the Little River to the Arkansas/Louisiana state line. The hearing will begin at 6:00 p.m. at the Washington Suite in Hempstead Hall, University of Arkansas Community College at Hope, 2500 South Main Street, Hope, Arkansas 71802.

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) December 3, 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 SWEPCO facility and the Arkansas Department of Environmental Quality (ADEQ) respond to all public comments submitted during the open comment period.

The SWEPCO facility discharges treated process wastewater under the provisions of NPDES Permit No. AR0051136 issued by ADEQ. The SWEPCO facility discharges treated wastewater from a wastewater pond containing primarily cooling tower blowdown and previously monitored low volume waste. The SWEPCO facility is requesting the following amendments to Regulation 2:

- for the Little River from Millwood Lake to the mouth of the Little River, modification of the Total Dissolved Solids (TDS) water quality criterion from 100 milligrams per liter (mg/L) to 138 mg/L and modification of the temperature criterion from 30° C (86° F) to 32° C (89.6° F);
- for the Red River from the mouth of the Little River to the Arkansas/Louisiana state line, modification of the TDS water quality criterion from 500 mg/L to 860 mg/L and removal of the designated, but not existing, domestic water supply use.

Detailed copies of SWEPCO facility's 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 Hope, Little Rock (main branch), Magnolia, Mena, and Texarkana, 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, Fayetteville, Forest City, Fort Smith, Harrison, Helena,

Hot Springs, Jonesboro, Monticello, Mountain Home, Pocahontas, Russellville, Searcy, Stuttgart, 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), December 3, 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.

Published October 1 and 2, 2014,

Ryan Benefield, Interim Director,
Arkansas Department of Environmental Quality