

ARKANSAS POLLUTION CONTROL
AND ECOLOGY COMMISSION

SUBJECT-Regulation No. 2-Water
Quality Standards Third-Party
Rulemaking City of Harrison and
CITY OF YELLVILLE WASTEWATER
TREATMENT PLANTS

DOCKET NO. 15-002-R

MINUTE ORDER NO. 16-16

PAGE 1 OF 2

1. On August 28, 2015, the Arkansas Pollution Control and Ecology Commission (the Commission) entered Minute Order No. 15-18 granting the Cities' Petition to Initiate Rulemaking to Amend Regulation No. 2 to amend the minerals water quality criteria for a portion of Crooked Creek. The Order established the schedule for proceeding with the rulemaking, including public comment and public hearing, and in addition to public comments on the amendment to Regulation No. 2 sought by the Cities, the Commission requested public comment on two independent questions.


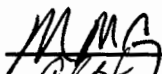

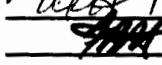
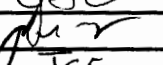
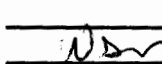
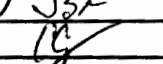
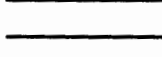
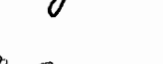

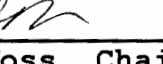
2. Of the ten comments submitted during the public comment period, six offered no comments at all on the criteria changes requested by the Cities, while all ten commenters addressed the two independent questions posed by the Commission with two urging that the Commission's independent questions be considered in a separate process due to the statewide application of the questions.


3. The Cities are ready to proceed with legislative review and final Commission action on the water quality criteria changes requested in their Third Party Rulemaking and have requested the Commission's permission to proceed with the Third Party Rulemaking independent of whatever actions the Commission may choose to take with respect to the two independent questions.

4. Upon consideration of the circumstances presented, the Commission agrees that the Cities may proceed with their Third Party Rulemaking independent of the Commission's two questions.

The Commission grants the Cities' request to proceed and finalize the Third Party Rulemaking independent of the two questions raised by the Commission.

COMMISSIONERS

	J. Bates		M. Goggans
	L. Bengal		A. Henry
	J. Chamberlin		B. Holland
	J. Crow		R. Reynolds RECUSED
	J. Fox		W. Stites
	C. Gardner		B. White


R. Moss, Chair

SUBMITTED BY: Allan Gates

PASSED: 12/02/16