

Arkansas Pollution Control and Ecology Commission
Arkansas Department of Environmental Quality
5301 Northshore Drive
North Little Rock, AR 72118-5317

October 24, 2018

Dear Arkansas Pollution Control and Ecology Commission and ADEQ,

I am a citizen from the state of Arkansas and I oppose the revised Regulation No. 37 called "Arkansas Nutrient Water Quality Trading Regulations" due to the following reasons:

- There are no requirements to test the waters before, during and after the nutrient trades. We need to be sure that we are reducing nutrients in our waters.
- There are NO STATEWIDE NUMERIC Standards for NUTRIENTS. Statewide standards should be developed and established by law before any nutrient trading is allowed.
- There are no enforcement or fines identified in the regulation. What penalties will be assessed if a trading entity fails to produce the results they claim will occur?
- There are no standards to evaluate if the trades or any projects have merit.
- The regulation does not prohibit trades between watersheds
- The regulation does not protect national rivers or extraordinary resource waters as recommended by EPA.
- The regulation lacks a clear and quick mechanism to revoke a nutrient trading project that fails to meet its stated objectives
- The regulation is absent of any independent monitoring of the projects from the planning stage through the operation to confirm the applicants are performing as stated.

For all these reasons and more, please do not approve Regulation 37. The proposed regulation needs significant revision and the implementation of STATEWIDE NUMERIC NUTRIENT REGULATIONS. Do not put the cart before the horse! Arkansas must protect its natural resources and this regulation opens the door to further abuse.

Sincerely,



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