

# **Attachment 1-b:**

## **List of Revisions to Draft Rule Based on Public Comments**

## List of Revisions to Draft Rule 2 Based on Public Comments

**NOTE:** Proposed revisions removing permitting language, receiving water language, or discharge language from Rule 2 will not occur at this time. This language will remain in Rule 2 until adoption into Rule 6 has been approved by the APC&EC, Legislative Committees, and U.S. EPA. This includes Rules 2.404, 2.407, 2.408, 2.409, 2.410, 2.502, 2.503, 2.504, 2.505, 2.507, 2.508, 2.509, 2.510, 2.512, and Appendix A.

### **Rule 2.410 Oil and Grease**

Revisions to 2.410 will be made to reflect “aquatic biota” in lieu of “associated biota”. Rule 2.106 defines aquatic biota as “All those life forms which inhabit the aquatic environment.”

### **Rule 2.507 Bacteria**

The second paragraph will not include a reference to “or fecal coliform”, this proposed addition is removed.

### **Rule 2.510 Oil & Grease**

Revisions to 2.410 will be made to reflect “aquatic biota” in lieu of “associated biota”. Rule 2.106 defines aquatic biota as “All those life forms which inhabit the aquatic environment.”

### **Rule 2.511(A) Mineral Quality, Site Specific Mineral Quality Criteria**

White River section noted will be revised as, “White River (WHI0052 to Missouri state line, including Beaver Reservoir).”

Kings River will be moved to reflect that it flows into the above section of White River downstream of Holman Creek.

The “†” footnote indicator will be removed from the Poteau River and Unnamed Tributary entries.

Stennitt Creek revised TDS and sulfate will be added to the final rule. Additionally, Brushy Creek and Unnamed Tributary revised mineral criteria will be added to the final rule.

The “†” footnote indicator will be removed from the Town Branch and Holmand Creek entries.

The Haliburton temporary EIP criteria and footnote located in Appendix A will also be located in Rule 2.511(A)

Chamberlain Creek from headwaters to confluence with Cove Creek	Chlorides 68 mg/L, sulfates 1,384 mg/L, TDS 2,261 mg/L***†
Cove Creek from the confluence with Chamberlain Creek to the Ouachita River	Sulfates 250 mg/L, TDS 500 mg/L***†
Lucinda Creek from the confluence of Rusher Creek to the confluence with Cove Creek	Sulfates 250 mg/L, TDS 500 mg/L***†
Rusher Creek from the confluence of the East and West Forks to confluence with Lucinda Creek	Sulfates 250 mg/L, TDS 500 mg/L***†

Reyburn Creek from headwaters to confluence of Francois Creek	Sulfates 250 mg/L, TDS 500 mg/L***†
Scull Creek from a point approximately 350 feet upstream of Clearwater Lake to Clearwater Lake (including Clearwater Lake) and from Clearwater Lake dam to confluence Reyburn Creek	Sulfates 250 mg/L, TDS 500 mg/L***†

\*\*\*These temporary standards variations are effective for 160 months from EPA's approval of the EIP on January 7, 2020.

## Appendix A

The following footnotes will not be stricken and will remain in the Rule.

“\*Increase over natural temperatures may not be more than 2.8°C (5°F).

\*\*At water temperatures  $\leq 10^{\circ}\text{C}$  or during March, April and May when stream flows are 15 cfs and greater, the primary season dissolved oxygen ~~standard~~ criteria will be 6.5 mg/L. When water temperatures exceed 22°C, the critical season dissolved oxygen standard may be depressed by 1 mg/L for no more than 8 hours during a 24-hour period.”

The “†” footnote indicator will be removed from the Holman Creek, Town Branch, Unnamed Tributary of Brushy Creek and Brushy Creek entries.

The “†” footnote indicator will be removed from the Crooked Creek and White River entries.

Stennitt Creek revised sulfate will be added to the final rule. Additionally, Brushy Creek and Unnamed Tributary revised mineral criteria will be added to the final rule.

The “†” footnote indicator will be removed from the Poteau River and Unnamed Tributary entries.

## Rule 2.511(A), Appendix A-OM, Appendix A-GCP

The footnote will be revised to “\*These temporary standards variations are effective for 148 months from EPA's approval of the EIP.”