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February 5, 2025

VIA ELECTRONIC SUBMISSION

Ms. Melissa Gober
Department of Energy and Environment
5301 Northshore Drive
North Little Rock, AR 72118

Submitted: EE.comment@arkansas.gov

Re: Jonesboro City Water and Light Comment on Proposed Amendments to Arkansas Pollution Control and Ecology Commission (APC&EC) Rule 2, *Rule Establishing Water Quality Standards for Surface Waters of the State of Arkansas*

Dear Ms. Gober –

This law firm represents City Water and Light Plant of the City of Jonesboro (CWL). On behalf of CWL, I am submitting the following written comments on the Arkansas Department of Energy and Environment, Division of Environmental Quality's (DEQ) proposed amendments to Rule 2, *Rule Establishing Water Quality Standards for Surface Waters of the State of Arkansas*. The APC&EC initiated the rulemaking on December 6, 2024, and DEQ published public notice of the rulemaking on December 8 and December 22. The public comment period closes on February 5, 2024. CWL's comments are submitted timely.

CWL operates and maintains the sewer system in Jonesboro, Arkansas. Operations include the discharge of treated municipal wastewater from CWL's wastewater treatment facilities pursuant to NPDES Permit No(s). AR0037907 and AR0043401. CWL has reviewed with interest DEQ's proposed amendments to Arkansas's approved water quality standards (WQS).

CWL notes that DEQ's proposed changes, particularly proposed changes to the state's standards for bacteria (Rule 2.507) and ammonia (Rule 2.512), will likely require changes in effluent limits for municipal wastewater discharge permits. DEQ is aware of this. In turn, new effluent limits will likely drive some changes in facility operations, and may require new training, new analytical procedures, and possibly

new equipment. Without judging the value of the proposed changes, CWL comments only to suggest the following:

1. Revised effluent limitations resulting from the change in bacteria and ammonia WQS should be incorporated into NPDES permits only during the routine permit renewal cycle following the U.S. Environmental Protection Agency's approval of the revised WQS.
2. Revised effluent limitations resulting from the change in bacteria and ammonia WQS should include all appropriate compliance schedules to allow municipal wastewater treatment facilities to implement necessary changes, *e.g.* development of operational changes, implementation of training and analytical procedures, or acquisition of new equipment.
3. DEQ's review of revised effluent limitations resulting from the change in bacteria and ammonia WQS should include all due consideration toward flexibility – *e.g.*, use of Recalculation Procedure, variances, dilution allowances, and similar tools – where appropriate.

CWL appreciates DEQ's efforts to review and update the State's water quality standard. The utility thanks the Agency in advance for its consideration of these comments.

Sincerely,

MITCHELL, WILLIAMS, SELIG,
GATES & WOODYARD, P.L.L.C.

By


Jordan Wimpy

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