

Jake Harper,  
Department of Energy and Environment,  
5301 Northshore Drive,  
North Little Rock, AR 72118

September 3, 2019

Re: Proposed Rule 6 comments APC&EC Docket #19-003-R.

Dear Mr. Harper,

Central Arkansas Water's (CAW) primary mission is to provide safe, reliable drinking water to approximately 450,000 Arkansans. CAW actively manages its resources and looks for opportunities to improve both the sustainability and water quality for the benefit of its customers. It is with this in mind; the following comments are offered.

**Reg. Rule 6.207 Public Notice Requirements of Notice of Intent for Concentrated Animal Feeding Operation (CAFO) General Permit Permits**

Public notification requirements for any ~~notice of intent filed with the Department for a general permit for a proposed Concentrated Animal Feeding Operation (CAFO) in Arkansas (ARG59000)~~ are as follows:

(A) The applicant shall provide written notice by letter, certified mail, return receipt requested, to the following people:

- (1) Property owners adjacent to the CAFO production site and property owners adjacent to manure spreading sites;
- (2) The County Judge of the county where the CAFO production site and any manure spreading site is located;
- (3) Mayors of incorporated municipalities within ten (10) miles of the CAFO production site; ~~and~~
- (4) The superintendent of the school district that serves the CAFO production site; and

**Comment:**

Notification to appropriate drinking water utilities should be required. It is suggested to add an additional notification as follows:

(5) The operator of record for any drinking water utility withdrawing water from a source impacted by the CAFO.

**Rule 6.404 Wastewater Discharge Permit Specific Standards**

**(B) Turbidity**

There shall be no distinctly visible increase in turbidity of receiving waters attributable to discharges or instream activities.

**Comment:**

Use of the phrase, “no distinctly visible increase” does not properly categorize the potential impact to a receiving water. For example, if a stream or water body normally has a turbidity of 5 Nephelometric Turbidity Units (NTUs), and it increases to 20 NTUs, the result may barely be noticeable to the general public. However, that amount of increase in turbidity in a drinking water supply will create a situation whereby water treatment methodology will need to be modified in order to maintain the resultant finished water quality. This increases both the cost of treatment and jeopardizes human health.

I would recommend the following modification:

There shall be no distinctly visible increase in turbidity of receiving waters **or impact to the designated uses attributable to discharges** or instream activities.

Addition of “or impact to the designated uses” brings this statement into alignment with language in (F) Nutrients below.

**(F) Nutrients**

Materials stimulating algal growth shall not present in any discharges in concentrations sufficient to cause objectionable algal densities or other nuisance aquatic vegetation or otherwise impair any designated use of the receiving waters.

**Comment:**

Use of the term “Materials” is rather vague. Sentence also seems to be missing a “be”.

Suggest: Substances stimulating algal growth shall not be present in any discharges in concentrations sufficient to cause objectionable algal densities or other nuisance aquatic vegetation or otherwise impair any designated use of the receiving waters.

Thank you for the opportunity to provide comment on these proposed Rule changes.

Please feel free to contact me should you have any additional questions.

Sincerely,

Paul R. Easley  
Central Arkansas Water  
221 East Capitol Ave.  
Little Rock, AR 72203