

BEFORE THE ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION

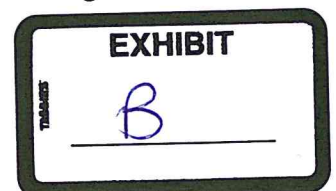
**IN THE MATTER OF PROMULGATION OF)
REGULATION NO. 6, REGULATIONS FOR THE STATE) DOCKET NO. 13-007-R
ADMINISTRATION OF THE NATIONAL POLLUTANT)
DISCHARGE ELIMINATION SYSTEM (NPDES))**

RESPONSIVE SUMMARY

Pursuant to Arkansas Pollution Control and Ecology Commission (hereinafter “APC&EC”) Minute Order 13-24, the Arkansas Department of Environmental Quality (“ADEQ” or “Department”), by and through its attorney, Lorielle Gutting, submits the following Responsive Summary regarding the proposed changes to APC&EC Regulation No. 6. July 26, 2013, the Arkansas Pollution Control and Ecology Commission (hereinafter “APC&EC” or “Commission”) granted ADEQ’s Petition to Initiate Rulemaking to Amend Regulation No. 6.

Oral comments were received by the Arkansas Environmental Federation, Beaver Water District, and Friends of the North Fork and White Rivers during the public hearing September 23, 2013. These organizations also submitted more detailed written comments regarding the general comments raised during the public hearing. Of the 77 comments raised, 75 comments were related to changes proposed to APC&EC Regulation No. 6 based on Act 954 of the 2013 Regular Session of the Arkansas General Assembly. However, Act 954 of the 2013 Regular Session of the Arkansas General Assembly was repealed by Act 4 of the First Extraordinary Session of the Arkansas General Assembly. Therefore, any changes to Regulation No. 6 that were based on Act 954 are no longer proposed and have been deleted from the final version of APC&EC Regulation No. 6.

The remaining two comments were raised by the Arkansas Department of Health. The first comment proposed a change to the definition of “non-municipal domestic sewage

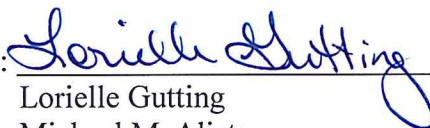


treatment works.” However, the Department did not make further changes because the definition of “non-municipal sewage treatment works” must remain consistent with the statutory definition that was enacted by Act 402 of 2013. The final comment proposed that “waters of the state” should be further defined. ADEQ acknowledges the comment and responded that a definition for “waters of the state” will be included in the next revision of APC&EC Regulation No. 6.

This concludes the proposed changes to Regulation No. 6.

Respectfully submitted,

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