

**Archived:** Friday, October 2, 2020 9:59:14 AM  
**From:** [Ava Roberts](#)  
**Sent:** Friday, October 2, 2020 6:21:58 AM  
**To:** [CPP-antideg-comments](#)  
**Cc:** [Blanz, Bob](#)  
**Subject:** AEF AIM Comments  
**Importance:** Normal  
**Attachments:**  
[AEF AIM Cmnts.pdf](#);

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Good morning,

Please see the official comments from the Arkansas Environmental Federation regarding the Proposed Antidegradation Implementation Methodology.

Thank you for the opportunity to comment.

-Ava

Ava F. Roberts  
Executive Director  
Arkansas Environmental Federation  
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# AEF's 53rd Annual Convention



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October 2, 2020

Mr. Jake Harper  
Department of Energy and Environment  
5301 Northshore Drive  
North Little Rock, Arkansas 72118  
CPP-antideg-comments@adeq.state.ar.us

*Delivered via electronic mail and U.S. Postal Service*

RE: Comments on the Proposed Antidegradation Implementation Methodology

Dear Mr. Harper:

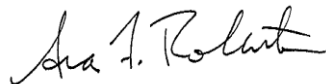
Thank you for allowing review of the proposed Antidegradation Implementation Methodology (AIM). The Arkansas Environmental Federation was grateful to contribute to both the original Focus Group and later the Stakeholders Group. We think that the resulting document was greatly refined during this process. We would like to thank the Office of Water for the hard work and thoughtfulness of the proposed document. The following are our comments on the AIM.

1. Section 1 Definitions. Baseline Water Quality BWQ – Lines 25 and 26 state that: “Once established, BWQ is a fixed quantity expressed as a concentration.” The definition should be amended to account for dischargers moving out of the watershed or implementation of BMPs for non-point sources, either of which could potentially have a major effect on existing water quality. Also, if BWQ is determined for an antidegradation review and the resulting discharged loads are increased, the BWQ should be re-determined. In the event of an additional antidegradation review the assimilative capacity remaining would have been reduced. Leaving the BWQ fixed in any of these situations either underestimates or overestimates the actual BWQ and assimilative capacity remaining in the system.
2. Section 1 Definitions. Expanding Wastewater Source – A source with an increased volume of discharged water or increased concentration or mass of pollutants. This definition should be amended to include only increased mass of pollutants. A water conservation project at a facility may reduce flow, concentration could increase but the mass would remain the same and would not be an expanding wastewater source with respect to effect on the stream or the assimilative capacity.

3. Section 4.A Tier I - Existing Use Protection. Waters that are permitted to attain water quality standards (WQS) should be considered Tier I for those limited parameters. In this situation there is no remaining assimilative capacity and water quality would not be better than required by the WQS for those parameters at critical flow and if discharging as permitted. Additionally, please describe what is meant by a storm water control structure and how it might have an existing use.
4. Section 5.B – Tier 2 Protection. This section is an applicability description and a list of what are not Tier 2 reviews. Streams determined to be Tier I should be added to the list.
5. Section 7 General Permits – The discussion of antidegradation and general permits is too vague to determine what will be required and who will complete the antidegradation review.
6. Section 8.B4 – Consumption of less than or equal to 10% of the assimilative capacity – Lines 408 and 409 contain the sentence “Unless there is a potential for bioaccumulation or impacts to aquatic biota...” This sentence is subjective and cannot be used in a quantifiable Antidegradation review. Water quality criteria are designed to be protective of aquatic life and effects of bioaccumulation. If the proposed increased load uses 10% or less of the remaining assimilative capacity for those pollutant types then no further antidegradation review is needed. The sentence should be removed.

Please consider this letter the Arkansas Environmental Federation’s official comments on the Proposed Antidegradation Implementation Methodology. We appreciate the opportunity.

Sincerely,

A handwritten signature in cursive script that reads "Ava F. Roberts".

Ava F. Roberts  
Executive Director  
Arkansas Environmental Federation