

Archived: Friday, October 2, 2020 10:00:02 AM

From: [Ava Roberts](#)

Sent: Friday, October 2, 2020 6:23:27 AM

To: [CPP-antideg-comments](#)

Cc: [Blanz, Bob](#)

Subject: AEF CPP Comments

Importance: Normal

Attachments:

[AEF CPP Comments.pdf](#);

Good morning,

Please see the official comments from the Arkansas Environmental Federation regarding the proposed changes to the Continuing Planning Process.

Thank you for the opportunity to comment.

Ava F. Roberts

Executive Director

Arkansas Environmental Federation

501-920-3963

environmentark.org



Outlook-osckhnc5.png

AEF's 53rd Annual Convention

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AEF CPP Comments.pdf



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October 2, 2020

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

Delivered via electronic mail and U.S. Postal Service

RE: Comments on the proposed changes to the Continuing Planning Process (CPP)

Dear Mr. Harper:

Thank you for allowing review of the proposed Continuing Planning Process document (CPP). The Arkansas Environmental Federation appreciates the opportunity to participate in the stakeholder process used to update the CPP. The AEF further acknowledges the hard work and document improvements that the Office of Water Quality has achieved. The following are our comments on the CPP.

1. We note that the “Information Required in Applying for Site Specific Water Quality Standards Modification in Accordance with Section 2.306” and the “Administrative Guidance Document” sections from the 2000 CPP were not transferred to the 2020 proposed CPP. Since studies conducted pursuant to Rule 2.306 have been commonly conducted in Arkansas and may be needed in the future, we request that these sections of the 2000 CPP be added to the 2020 CPP. In the event that the Division has additional material to add to these sections we suggest reserving a section in the proposed CPP for that additional detail on the implementation of Rule 2.306. AEF would also be happy to serve on a focus or stakeholder workgroup to assist in the preparation of any additional study requirements if needed.
2. Section 4.1, page 43. The last sentence of paragraph 3, “water quality criteria may be based on acute, chronic, or human health assumptions” could be more accurately stated as “water

quality criteria may be based on acute and chronic aquatic life criteria or human health criteria.”

3. Section 4.8.1. Definitions of the equation at the top of page 52. Add “mg/L” to C_e = Pollutant concentration in the effluent. Table 4-4E, bottom of page 54. Add “g” to $\mu\text{g/L}$ the final entry in the table.
4. Section 4.11.2 pH. The section is missing the referenced table with pH values.
5. In reviewing CPP Section 4.12, Mixing Zones (MZ) and Zone of Initial Dilution (ZID), and CPP Section 6.2 Critical Dilution (CD) we note a distinction in how the ZID is implemented and applied to acute whole effluent toxicity (WET) compared with acute numerical toxics criteria.

In CPP Section 4.12 the MZ designated for large streams cannot exceed 25% of the cross-sectional area and critical flow volume, and the ZID is allowed to be 25% of the MZ, or up to 50% if a high rate diffuser is used in some streams, including the Mississippi River.

CPP Section 6.2 provides a formula for critical dilution that eliminates 15% (up to 40% with a high rate diffuser) of the ZID by using an equation under Section 6.2.1 that allows only 10% of the MZ for the ZID.


Both the implementation of numerical acute aquatic toxics criteria and the narrative acute toxics criteria implemented through the WET program are designed to achieve the same end point, so it makes no technical sense to treat them so differently. It also discourages the use of high rate diffusers.

This situation can be remedied by the addition of a footnote to Section 6.2 that encourages high rate diffusers in large river discharge situations and allows for a minimum of 25% and up to 50% of the MZ to be utilized as the ZID such as in Section 4.12. Replacement of the 0.1 with 0.25 would be needed in the acute toxicity equation of Section 6.2.1 also. If needed actual mixing characteristics can be documented through using a scientifically defensible mixing zone model such as CORMIX.

6. Section 4.12.2.2 Footnote 13. This footnote should direct the reader to the names of the streams to which the 25% ZID applies.
7. Section 4.12.3 jet mix equation. Please check the 500 in the numerator of the jet mix equation, it may be in error.
8. Section 4.16, Footnote 25 seems to be missing.

Please consider this letter the Arkansas Environmental Federation's official comments on the Proposed Continuing Planning Process. We appreciate the opportunity.

Sincerely,

A handwritten signature in black ink, appearing to read "Ava F. Roberts". The signature is fluid and cursive, with the first name "Ava" being more prominent.

Ava F. Roberts
Executive Director
Arkansas Environmental Federation