

August 20, 2020

Via E-mail: keogh@adeq.state.ar.us and
CPP-antideg-comments@adeq.state.ar.us

Secretary Becky Keogh
Department of Energy and Environment
5301 Northshore Drive
North Little Rock, AR 72118

Re: Request for Extension of Public Comment Periods

Dear Secretary Keogh:

On Sunday, July 26, 2020, a public notice was issued for a thirty-day public comment period on the Department of Energy and Environment (DE&E), Division of Environmental Quality's (DEQ's) draft Antidegradation Implementation Methods (AIM) and draft Continuing Planning Process (CPP) documents. Central Arkansas Water (CAW) respectfully requests extensions of the public comment periods for both the draft AIM and the draft CPP documents for at least sixty (60) days from the current public comment deadline of Wednesday, August 26, 2020, at 4:30 p.m. Central Time to at least Tuesday, October 27, 2020.

The reasons for the requested extensions include:

- The public comment period for the AIM and the CPP overlap with the public comment period for DEQ's proposed amendments to Regulation No. 2 ("Reg. 2"), which are part of DEQ's triennial review of the State's surface water quality standards that is required pursuant to the federal Clean Water Act (CWA). Each of these three documents are complex, often highly technical and are interrelated.
- Water quality standards in Reg. 2 are the foundation for the AIM and CPP documents. Public comments on Reg. 2 should be addressed by DEQ and any modifications to Reg. 2 should be made prior to the close of the public comment periods for the AIM and CPP. Otherwise, the public will be unable to determine the full meaning of provisions in the AIM and CPP when preparing comments.
- A state AIM has been required by the CWA since 1987. The newly drafted AIM strategy is critical in terms of the State's ability to fulfill the mandate of CWA section 101(a) "to restore and maintain the chemical, physical, and biological integrity of the Nation's

waters.” CAW believes that a well thought-out and drafted AIM is essential for the protection and maintenance of Arkansas’ drinking water sources and should be reviewed carefully.

CAW acknowledges DEQ’s efforts to engage in stakeholders’ comments prior to the issuance of the AIM and CPP for public comment, however, input from members of the stakeholder workgroup were not incorporated into the draft prior to initiating a public comment period. A simultaneous thirty-day comment period for both documents overlapping with the public comment period for Reg. 2 is inadequate.

Thank you for your consideration of CAW’s request to extend the public comment periods for the AIM and CPP documents to at least Tuesday, October 27, 2020. Given the current, impending deadline, we look forward to a prompt response.

Sincerely,



C. Tad Bohannon
Chief Executive Officer

Cc via email to Department of Environmental Quality, Office of Water Quality:

Robert Blanz, Ph.D., Associate Director (blanz@adeq.state.ar.us)

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Joe Martin, Branch Manager, Water Quality Planning (joe.martin@adeq.state.ar.us)

Cc via email to Department of Environmental Quality, Office of Communications:

Donnally Davis (davis@adeq.state.ar.us)

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Cc via email to U.S. Environmental Protection Agency, Region 6, Water Division:

Charles Maguire, Director (maguire.charles@epa.gov)

Russell Nelson, Regional Water Quality Standards Coordinator (nelson.russell@epa.gov)

Cc via email to Central Arkansas Water Staff:

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