

NOTICE OF PUBLIC HEARING FOR PROPOSED REGULATION 2 CHANGES

The Arkansas Pollution Control and Ecology Commission (APC&EC) will hold a public hearing at Little Rock June 20, 2007, to receive public comments on a second phase of proposed changes to Commission Regulation No. 2 (Arkansas Water Quality Standards) developed through the Triennial Review process for the regulation. The hearing will begin at 2:00 p.m. in the Arkansas Department of Environmental Quality's (ADEQ) Building G Commission Room, located in the Arkansas State Police Headquarters Building, No. 1 State Police Plaza.

Commission authority to revise Regulation No. 2 is found in the Arkansas Code Annotated, Section 8-4-101, et seq.

The Phase II proposal is separate from a previous proposal to change Regulation No. 2 which dealt primarily with issues involving Extraordinary Resource Waters, and which was presented at 10 public hearings during November and December of 2006 and January of 2007. The Phase I proposal is still pending final action by the APC&EC.

Proposed changes to Regulation No. 2 under the Phase II proposal include:

- Adding definitions of new terms in Sec. 2.106.
- Updating a reference to the Arkansas Natural Resources Commission in Sec. 2.203 to reflect the agency's name change.
- Changing the common name for the "Grass Pickerel" to "Redfin Pickerel" in Secs. 2.302(F)(3)(e) and 2.302(F)(3)(f).
- Deleting "tracers used in hydrological studies" from the list of activities requiring a short-term activity authorization in Sec. 2.305.
- Adding language in Sec. 2.404 to protect domestic water supply intakes from mixing zones.
- Changing the term "Primary Values" to "Base-Flow Values" in Sec. 2.503 dealing with turbidity.
- Revising language in Sec. 2.507 involving maximum allowable levels of bacteria in primary and secondary contact waters.
- Revising language in Sec. 2.507(C) to clarify that *E. coli* bacteria will be used for ambient water quality assessment.
- Deleting "Beryllium" from the list of Human Health Criteria Standards in Sec. 2.508 dealing with toxic substances.
- Deleting language in Sec. 2.511 to make mineral quality standards consistent with current assessment technology.
- Adding Lost Creek Ditch under the Cache River listing in Sec. 2.511 for streams with mineral standards, and assigning it the same mineral standards as Bayou De View.
- Adding a listing of "Hurricane Creek" in Sec. 2.511 to clarify descriptions of two streams listed in the section.
- Revising language in Sec. 2.511 regarding maximum naturally occurring levels of minerals as determined by the least-disturbed ecoregion reference streams.

Copies of the proposed Regulation No. 2 changes are available for public inspection at the ADEQ's Little Rock office at the Public Outreach and Assistance Division in Building D, 8101 Interstate Highway 30; on the ADEQ Internet web site at www.adeq.state.ar.us; or at ADEQ information depositories located in public libraries at Arkadelphia, Batesville, Blytheville, Camden, Clinton, Crossett, El Dorado, Fayetteville, Forrest City, Fort Smith, Harrison, Helena, Hope, Hot Springs, Jonesboro, Little Rock, Magnolia, Mena, Monticello, Mountain Home, Pocahontas, Russellville, Searcy, Stuttgart, Texarkana, and West Memphis; in campus libraries at the University of Arkansas at Pine Bluff and the University of Central Arkansas at Conway; and in the Arkansas State Library located on the State Capitol grounds at Little Rock.

Oral and written statements will be accepted at the hearings, but written comments are preferred in the interests of accuracy. In addition, written and electronic mail comments will be accepted if received no later than 4:30 p.m. July 5, 2007. Written comments should be mailed to Doug Szenher, Public Outreach and Assistance Division, Arkansas Department of Environmental Quality, P.O. Box 8913, Little Rock, AR 72219-8913, or sent by electronic mail to reg-comment@adeq.state.ar.us.

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