

## **NOTICE OF PROPOSED THIRD-PARTY RULEMAKING PUBLIC HEARING**

The Arkansas Pollution Control and Ecology Commission (APC&EC) will hold a public hearing at Huntsville, Arkansas on November 13, 2017 to receive comment on a third-party proposal by the City of Huntsville to change APC&EC Regulation 2 (the Arkansas Water Quality Standards) for chloride, sulfate and total dissolved solids (TDS) for Town Branch, which receives the discharge from the city's wastewater treatment plant, and Holman Creek and a segment of War Eagle Creek, which receive flow from Town Branch. The proposal also includes removing the designated but not existing domestic water supply use from Town Branch and Holman Creek. The hearing will begin at 6:00 p.m. in the Madison County Courthouse, 201 W. Main, Huntsville, AR 72740.

In the event of inclement weather or other unforeseen circumstances, a decision may be made to postpone the hearing. If the hearing is postponed and rescheduled, a new legal notice will be published to announce the details of the new hearing date and comment period.

The deadline for submitting written comments on the proposed changes is 4:30 p.m. (Central Time), December 4, 2017.

Sections 8.809 through 8.811 of APC&EC Regulation 8 (Administrative Procedures), and the Arkansas Code Annotated, Section 8-4-202(c) provide that outside parties may petition the APC&EC to initiate the rulemaking process to adopt or amend regulations under the APC&EC's jurisdiction. APC&EC authority to amend Regulation 2 is found in Arkansas Code Annotated, Section 8-4-201 et seq.

The fact that the APC&EC has agreed to initiate such a third-party rulemaking procedure does not constitute an endorsement of the proposal at this time. The APC&EC will decide whether to adopt the proposed changes after the conclusion of the public comment period for the proposal and after Huntsville and the Arkansas Department of Environmental Quality (ADEQ) respond to all public comments submitted during the open comment period.

The Huntsville wastewater treatment plant ("WWTP") discharges treated wastewater under the provision of NPDES Permit No. AR0022004 issued by ADEQ. Huntsville is requesting the following amendments to Regulation No. 2 for the standards in Town Branch, Holman Creek and a segment of War Eagle Creek:

- Town Branch from Point of Discharge of the City of Huntsville WWTP downstream to the confluence with Holman Creek: Chlorides 223 mg/L, Sulfates 61 mg/, Total Dissolved Solids 779 mg/L;
- Holman Creek from the confluence with Town Branch downstream to the confluence with War Eagle Creek: Chlorides 180 mg/L, Sulfates 48 mg/, Total Dissolved Solids 621 mg/L;
- War Eagle Creek from the confluence with Holman Creek Downstream to Clifty Creek: Chlorides 39 mg/L, Total Dissolved Solids 248 mg/L

In addition, Huntsville is proposing to remove the designated domestic water supply use for the affected sections of Town Branch and Holman Creek as follows:

Removal of the Domestic Water Supply use for Town Branch beginning at Latitude 36.112330°, Longitude- 93.732833° and extending downstream to its confluence with Holman Creek at Latitude 36.0118158°, Longitude- 93.736039°; and for Holman Creek beginning at its confluence with Town Branch at Latitude 36.118158°, Longitude - 93.736039° and extending downstream to its confluence with War Eagle Creek at Latitude 36.140824°, Longitude -93.729594°.

Detailed copies of Huntsville's proposed regulation changes, along with support documents and summary information, are available for public inspection during normal business hours by calling for Kelly Robinson in the ADEQ's North Little Rock office, and in ADEQ information depositories located in public libraries at Fayetteville, Fort Smith, Harrison, Little Rock (main branch), Mountain Home, Russellville, and the Arkansas State Library, 900 West Capitol, Suite 100, Little Rock.

In addition, summary information concerning the proposal is available at other ADEQ information depositories located in public libraries at Arkadelphia, Batesville, Blytheville, Camden, Clinton, Crossett, El Dorado, Forrest City, Helena, Hope, Hot Springs, Jonesboro, Magnolia, Mena, Monticello, Pocahontas, Searcy, Stuttgart, Texarkana, and West Memphis; and in campus libraries at the University of Arkansas at Pine Bluff and the University of Central Arkansas at Conway. Information concerning the proposed changes also can be viewed and downloaded at the ADEQ's web site at the following URL address: <http://www.adeq.state.ar.us> Written or electronic mail comments will be accepted if received no later than 4:30 p.m. (Central Time) December 4, 2017.

Written comments should be sent to Kelly Robinson, Arkansas Department of Environmental Quality, 5301 Northshore Drive, North Little Rock, AR 72118. Electronic mail comments should be sent to the following address: [reg-comment@adeq.state.ar.us](mailto:reg-comment@adeq.state.ar.us)

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