

ARKANSAS REGISTER

Proposed Rule Cover Sheet



Secretary of State
John Thurston
500 Woodlane Street, Suite 026
Little Rock, Arkansas 72201-1094
(501) 682-5070
www.sos.arkansas.gov



Name of Department _____

Agency or Division Name _____

Other Subdivision or Department, If Applicable _____

Previous Agency Name, If Applicable _____

Contact Person _____

Contact E-mail _____

Contact Phone _____

Name of Rule _____

Newspaper Name _____

Date of Publishing _____

Final Date for Public Comment _____

Location and Time of Public Meeting _____



ARKANSAS

ENERGY & ENVIRONMENT

NOTICE OF RULE CHANGE Request for Public Comment

The Division of Environmental Quality (DEQ) has proposed amendments to Arkansas Pollution Control and Ecology Commission (APC&EC) Regulation 2 (Regulation Establishing Water Quality Standards for Surface Waters of the State of Arkansas) pursuant to Arkansas Code Annotated § 8-4-202. Oral and written comments by stakeholders and the public will be received and made a part of the record during the public comment period.

Pursuant to Arkansas Code Annotated § 8-1-203(b)(1)(A) and APC&EC Rule 8, DEQ by this notice solicits comments of any interested party to the proposed rule amendments by submitting comments in writing on or before the end of the public comment period, which is September 8, 2020. Comments should be sent to Jake Harper at the address below.

Full and complete copies of the proposed changes to Regulation 2 are available for inspection and review after making an appointment during regular business hours at the DEQ headquarters building, 5301 Northshore Drive, North Little Rock, AR 72118, or at DEQ 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; and in campus libraries at the University of Arkansas at Pine Bluff and the University of Central Arkansas at Conway.

A public hearing will be held on July 29, 2020, beginning at 2:00 p.m. Central Time to accept comments on the proposed amendments to Regulation 2. The hearing will be held in the Commission Room at the DEQ headquarters building, 5301 Northshore Drive, North Little Rock, AR 72118. The public hearing may be viewed via live broadcast on the E&E YouTube channel at https://www.youtube.com/channel/UCMr_txISHivnxRjg3dmOZ0A. If the hearing is postponed and rescheduled, a new legal notice will be published to announce the details of the new hearing date.

Participation may be in person or through the Zoom virtual meetings platform. Written and oral statements may be submitted regarding the proposed rulemaking to the Presiding Officer for consideration at the Public Hearing. Persons wishing to be recognized to make an oral comment in person must pre-register by leaving a voicemail at (501) 682-0907 or emailing Comment@adeq.state.ar.us before 4:00 p.m. Central Time on the day before the hearing. Persons attending the public hearing in person will be screened prior to entry and will be required to wear a mask. The number of participants in the Commission Room at one time will be limited to ensure appropriate physical distancing. Persons wishing to be recognized to make an oral comment through the Zoom virtual meetings platform during the public hearing must be placed on a “virtual sign-in list” by leaving a voicemail at (501) 682-0907 or emailing

Comment@adeq.state.ar.us before 4:00 p.m. Central Time on the day before the hearing. Persons attending via the Zoom virtual meetings platform may participate using a telephone or internet audio. The Zoom information will be provided to those persons on the virtual sign-in list. A request to be included on the list of commenters must include the name and mailing address of the individual requestor or commenter and, for those wishing to comment via Zoom using telephone access, the commenter's phone number.

Oral and written comments will be accepted at the hearing, but written comments are preferred in the interest of accuracy. In addition, written and electronic mail comments will be considered if received no later than 4:30 p.m. Central Time, September 8, 2020. Written comments should be delivered or mailed to: Jake Harper, Department of Energy and Environment, 5301 Northshore Drive, North Little Rock, AR 72118. Electronic mail comments should be sent to: Comment@adeq.state.ar.us.

Proposed revisions to Regulation 2 include incorporations of statutory changes passed by the Arkansas General Assembly, which change Arkansas Department of Environmental Quality to Division of Environmental Quality and change regulations to rules; amendments to provide clarification and minor corrections; amendments to reflect changes in Rule 6; and a variety of non-substantive and minor stylistic changes in the interest of clarity and consistency.

A complete listing of the proposed changes to Regulation 2 can be found on the Draft Regulations page of the DEQ's website: https://www.adeq.state.ar.us/regs/draft_regs.aspx under APC&EC Docket No. 20-004-R.

The deadline for submitting written comments on the proposed rule is 4:30 p.m. Central Time, September 8, 2020.

Published July 4 and 5, 2020,

Becky W. Keogh, Secretary,
Department of Energy and Environment