ADEQ REGULATIONS TRACKING SHEET

Regulation No. 2  Common Name: Water Quality Standards (Triennial Review – Phase 1)

1. Strawman review of draft regulations by key groups.

   initiated  completed  incorporated
   EPA      ✓       ✓             ✓
   ADEQ Legal/Admin. ✓       ✓             ✓
   Industrial/  ✓       ✓             ✓
   Environmental Groups

Comments: The amendment of Regulation No. 2 is necessary in order to establish processes for 1) the use of an Extraordinary Resource Water ("ERW"); Ecologically Sensitive Waterbody ("ESW"), or Natural and Scenic Waterway ("NSW") without significant physical alteration of habitat; 2) the removal of the designated use of ERW, ESW, or NSW to construct a domestic water supply reservoir on a free-flowing stream; and 3) to add the designated use of ERW, ESW, or NSW to a waterbody.

2. Proposed regulations presentation to Commission's Regulations Committee for approval to proceed to public comment period.

   Date: September 22, 2007          By: Mary Leath

   Comments/Approval: Committee recommended adoption of Petition to initiate rule-making

3. Legal notice of proposed regulations and public hearing.

   publication       dates of publication
   Arkansas Democrat-Gazette                 October 1 and 2, 2006

4. Provide Legislative Council with three copies of proposed regulations and the legislative questionnaire at least ten days prior to the first public hearing.

5. Hold public hearing(s) on the proposed regulations.

   location             date                   hearing chairman
   Arkansas State University-Mountain Home November 16, 2006 Commissioner Bootsie Ackerman
   Clarion Inn, Fayetteville November 20, 2006 Commissioner Bootsie Ackerman
   South Arkansas Community College, El Dorado November 27, 2006 Commissioner John Shannon
   Northridge Middle School, Van Buren December 4, 2006 Chair Dana Samples
   Harrison High School, Harrison December 11, 2006 Chair Dana Samples
   National Park Community College, Hot Springs January 4, 2007 Commissioner Thomas Schueck
   Montgomery County Courthouse, Mt. Ida January 4, 2007 Commissioner John Shannon
   Arkansas Tech University, Russellville January 18, 2007 Commissioner Randy Young
   Henderson State University, Arkadelphia January 18, 2007 Commissioner Lynn Sickel
6. Date of final day of public comment period: February 5, 2007, 4:30 p.m.

7. **Final proposed regulation and response to comments** prepared by Department.
   
   **Date initiated:** February 6, 2007  
   **Date completed:** August 17, 2007

8. Formal presentation to the **Public Health & Welfare Committee** of the Legislative Council.
   
   **Date:** September 20, 2007 (scheduled)  
   **By:** Teresa Marks/Mary Leath
   
   **Comments/Approval:** Anticipate Approval Received by Committee

9. Formal presentation of proposed final regulation to the **Administrative Rules & Regulations Subcommittee** of the Legislative Council (All Regs).
   
   **Date:** July 5 and September 6, 2007  
   **By:** Teresa Marks/Mary Leath
   
   **Comments/Approval:** Approval Received by Committee

10. Formal presentation of proposed final regulation to the **Agriculture, Forestry, and Economic Development Subcommittee** of the Legislative Council (All Regs).
    
    **Date:** August 15, 2007  
    **By:** Teresa Marks/Mary Leath
    
    **Comments/Approval:** Approval Received by Committee

11. Presentation of proposed final regulation to Commission's **Regulations Committee**.
    
    **Date:** September 28, 2007  
    **By:** Teresa Marks/Mary Leath
    
    **Comments/Approval:**

12. Provide Commission members with copy of proposed final regulation prior to Commission meeting.
    
    **Date Delivered:** September 7, 2007

13. Present proposed final regulation to the **Commission** for adoption.
    
    **Date:** September 28, 2007  
    **By:** Teresa Marks/Mary Leath
    
    **Comments/Approval:**

14. Send two copies of adopted regulation to **Secretary of State** (regulation becomes effective ten days after filing).
    
    **Date mailed:** October 1, 2007
15. Formally submit adopted regulation to EPA.

Date mailed: Upon final promulgation of Regulation

PREPARED BY:
AKRANSAS DEPARTMENT
OF ENVIRONMENTAL QUALITY

By: Jamie L. Ewing