



**United States Department of the Interior**  
**NATIONAL PARK SERVICE**

Buffalo National River  
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Harrison, AR 72601

*Copies to RB  
Grown*

IN REPLY REFER TO:  
I.A.2 (BUFF)

April 01, 2013

Teresa Marks  
Director  
Arkansas Department of Environmental Quality  
5301 Northshore Drive  
North Little Rock, AR 72118-5317

Dear Ms. Marks:

My staff has reviewed the proposed changes to Regulation 2 being completed for the triennial review, and would like to make the following comments noted by their regulation numbers:

Reg 2.507 – Bacteria – The revised bacteria standard has eliminated a section setting numerical criteria for designating impairment of ambient waters. The current regulation states “For assessment of ambient waters as impaired by bacteria, the above listed applicable values for E. coli shall not be exceeded in more than 25% of samples in no less than eight (8) samples taken during the primary contact season...” We believe, in fitting with the current direction of the EPA, that a quantifiable threshold designating impairment is critical and ask that the current wording remain in this paragraph.

Reg 2.509 – Nutrients – The latest draft has included ‘Arkansas’ in the following sentence; “However, when excess nutrients result in an impairment, based on Department assessment, by any Arkansas established, numeric water quality standard...”. We believe that this regulation will not be enforceable until the state sets the needed numerical values, which are years from completion, leaving resources without proper protection. Until the Department finalizes values, we ask that ‘Arkansas’ be replaced with language accepting values approved by EPA in systems most similar to those found in Arkansas. Once the Department establishes numerical values, they will replace any non-state values.

Thank you for the opportunity to comment on these changes. If you have any questions, please feel free to contact me at 870-365-2732 or our Aquatic Ecologist, Faron Usrey, at 870-365-2764 or at [Faron\\_Usrey@nps.gov](mailto:Faron_Usrey@nps.gov).

Sincerely,

Kevin G. Cheri  
Superintendent

cc: Doug Szenher, Public Outreach and Assistance Division, ADEQ