ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION

SUBJECT – Regulation No. 2
Water Quality Standards
Third-Party Rulemaking
UMETCO Minerals Corporation
d/b/a Wilson Mine
2754 Compass Drive, Suite 280
Grand Junction, CO 81506-8741

Docket No. 10-005-R

MINUTE ORDER NO. _____

On June 14, 2010, UMETCO Minerals Corporation ("UMETCO") filed a Petition to initiate Third-Party Rulemaking to Amend Regulation No. 2, Water Quality Standards.

On June 25, 2010, the Arkansas Pollution Control and Ecology Commission's Regulations Committee voted to refer UMETCO's Petition to the full Commission with recommendations to initiate rulemaking proceedings. On the same date, the Commission initiated the rulemaking proceeding and adopted the procedural schedule set forth in Minute Order No. 23.

Paragraph No. 7 of Minute Order No. 23 provides the UMETCO provides that UMETCO and ADEQ shall each file, not later than October 8, 2010, a Statement of Basis and Responsiveness Summary as required by Regulation No. 8. Paragraph No. 8 of Minute Order No. 23 provides that UMETCO and ADEQ shall each file not later than October 8, 2010, a proposed Minute Order deciding the matter.

Based on comments received at the public hearing of August 16, 2010, The Commission extended the public comment period to September 20, 2010. During this extended public comment period, ADEQ received numerous written comments on the proposed rulemaking. Both UMETCO and ADEQ have determined that due to the large number of public comments received, UMETCO and ADEQ will not have sufficient time to file a Responsiveness Summary by October 8, 2010, as set forth in Paragraph No. 7 of Minute Order No. 23.

UMETCO and ADEQ have jointly requested that the parties be granted additional time for each to prepare a Statement of Basis and Purpose and Responsiveness Summary to the comments received. Having considered the joint request of ADEQ and UMETCO, the Commission hereby modifies Paragraph No. 7 of Minute Order No. 23 as follows:

(a) 7. UMETCO and ADEQ shall each file, not later than 14 days before the Commission meets to consider adoption of the proposed regulation, a Statement of Basis and Purpose and Responsiveness Summary as requested by Regulation No. 8.815. In addition, UMETCO and ADEQ shall each file a proposed Minute Order deciding the matter.

(b) Paragraph No. 8 of Minute Order No. 23 is hereby deleted.

All other conditions and requirements of Minute Order No. 23 shall remain in effect.

COMMISSIONERS:

_____ J. Bates	_____ J. Shannon
_____ L. Bengal	_____ L. Sickel
_____ J. Chamberlin	_____ J. Simpson
_____ S. Henderson	_____ W. Thompson
_____ D. Hendrix	_____ B. White
_____ J. Lowery	_____ R. Young
_____ D. Samples	

_____ SUBMITTED BY: William A. Eckert PASSED 09/24/10
D. Hendrix, Chair