NOTICE OF PROPOSED REGULATION CHANGES, PUBLIC HEARING, AND COMMENT PERIOD

The Arkansas Pollution Control and Ecology Commission (APC&EC) will hold a public hearing in North Little Rock October 21, 2016, to receive comments on proposed revisions to APC&EC Regulation 9 (Fee Regulation). The hearing will begin at 2:00 p.m. in the Commission Room at the Arkansas Department of Environmental Quality (ADEQ) headquarters building, 5301 Northshore Drive, North Little Rock, AR 72118. The deadline for submitting written comments on the regulation is 4:30 p.m. (Central Time) November 4, 2016.

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. APC&EC authority for revising Regulation 9 is found in the Arkansas Code Annotated, Sections 8-1-103, 8-4-201, and 8-4-202.

Proposed revisions to Regulation 9 include amendments to the definitions to add "Q" or "Quantity" for clarification because the term is used in Chapter 4 concerning the calculation of water permit fees; Chapter 4 formulas for clarification to make the regulation easier to understand; incorporate a proposed fee calculation for minor municipal and non-municipal facilities with the National Pollutant Discharge Elimination System (NPDES) permits under Reg. 9.403 for limits of toxic pollutants based solely on Total Maximum Daily Load (TDML) to allow ADEQ to assess lower water permit fees for qualifying facilities; update the fee schedule in Chapter 4 to reflect permits currently offered by the Office of Water Quality and eliminate four General Permits under Reg.9.404 that are no longer issued by the Office of Water Quality; incorporate statutory changes made by the General Assembly concerning contribution fees to the Nonmunicipal Domestic Sewage Treatment Works Trust Fund; make minor, non-substantive stylistic and formatting corrections throughout the Regulation. A complete listing of the proposed changes to Regulation 9 can be found on the Draft Regulations page of the ADEQ's website at www.adeq.state.ar.us.

Copies of the proposed changes to Regulation 9 are available for public inspection during regular business hours at the ADEQ headquarters building, 5301 Northshore Drive, North Little Rock, AR 72118, or at ADEQ 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; in campus libraries at the University of Arkansas at Pine Bluff and the University of Central Arkansas at Conway,

Oral and written comments will be accepted at the hearings, 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) November 4, 2016. Written comments should be delivered or mailed to: Kelly Robinson, Arkansas Department of Environmental Quality, 5301 Northshore Drive, North Little Rock, AR 72118. Electronic mail comments should be sent to: reg-comment@adeq.state.ar.us.

Published September 28 and September 29, 2016
Becky W. Keogh, Director,
Arkansas Department of Environmental Quality