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Arkansas Pollution Control and Ecology Commission Regulation 6 (Regulations for State Administration of the National Pollution Discharge Elimination System): Proposed Revisions/Hearing

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The Arkansas Pollution Control and Ecology Commission ("APC&EC") will hold a public hearing on September 30th to receive comments on proposed revisions to APC&EC Regulation 6.

Regulation 6 is titled (Regulations for State Administration of the National Pollution Discharge Elimination System).

Arkansas obtained delegation of the Clean Water Act National Pollution Discharge Elimination System ("NPDES") in 1986. Therefore, since that date Arkansas facilities have obtained NPDES permits from the Arkansas Department of Environmental Quality ("ADEQ") as opposed to the United States Environmental Protection Agency.

A substantial portion of the substantive and procedural framework for the Arkansas NPDES program is found in Regulation No. 6. The regulation incorporates by reference the majority of the federal NPDES regulatory provisions. Consequently, the Arkansas NPDES regulatory provisions track to a certain extent the federal program.

The APC&EC hearing notice states that the proposed revisions to Regulation 6 include adoption of federal revisions to the NPDES program such as:

- Including sufficiently sensitive test methods
- Cooling water intake structure requirements
- Steam electric power generating
- Reporting requirements

The notice also references statutory changes passed by the Arkansas General Assembly (which amend the Trust Fund permitting requirements) along with "several minor corrections to make the regulation more illustrative of the legislative and regulatory intent"; and "a variety of non-substantive and minor stylistic changes in the interest of clarity and consistency".

Two hearings will be held. A North Little Rock hearing will begin at 2:00 o'clock on September 30th in the Commission Room at ADEQ headquarters. A second hearing will be held in Springdale on October 4th at 6:00 o'clock in the Jones Center for Families.

[A copy of the public notice can be downloaded here.](#)