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Arkansas Pollution Control and Ecology Commission Regulation No. 9 (Fee Regulation): Notice of Proposed Changes

Arkansas Environmental, Energy, and Water Law Blog

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The Arkansas Department of Environmental Quality ("ADEQ") announced that the Arkansas Pollution Control and Ecology Commission ("Commission") will hold a public hearing in North Little Rock October 21st to receive comments on proposed revisions to Regulation No. 9. ("Fee Regulation").

Regulation No. 9 provides for:

- Implementation of a system of fees for permits issued by ADEQ pursuant to the provisions of certain Arkansas statutes
- Authorization of the collection and enforcement of such fees and their use to defray the cost of operating the agency

The public notice describes the proposed revisions as:

- Amendment of certain definitions
- Clarifying language to make it easier to understand the regulations
- Incorporate a proposed fee calculation for minor municipal and non-municipal facilities with Clean Water Act National Pollution Discharge Elimination System permits under Reg. 9.403 for limits of toxic pollutants based solely on 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 Arkansas General Assembly concerning contribution fees to the Non-municipal Domestic Sewage Works Trust Fund
- Make minor, non-substantive stylistic and formatting corrections throughout the Regulation

The hearing will begin at 2:00 p.m. in ADEQ's Commission room.

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