



# ARKANSAS

## ENERGY & ENVIRONMENT

### Energy and Environment, Division of Environmental Quality – Office of Water Quality

#### OWQ Proposed Changes to the STAAs

OWQ proposed to make the following changes in order to make the STAA application process simpler, faster, and more efficient for both permittees and OWQ staff. The proposed changes will allow for known and simple-to-calculate fees on the front end. This will reduce OWQ staff review time and allow for clearer permitting. The fee structure impact on permittees should not be drastically different than the present system, and if the permittees maintain compliance through timely renewals, it may save money in the long run.

1. **TERM** – Rather than the existing six-month time from permittee notification to OWQ Compliance Branch of commencement of in-stream activities, OWQ is proposing that STAAs be issued for a one-year term without commencement notification. The one-year term would begin on STAA approval / issuance by OWQ. The applicant would then have one-year of the date of the approval letter to complete the in-stream activity covered by the STAA.
2. **FEES** - Pursuant to Ark. Code Ann §8-4-234(b) and APC&EC Rule 9, the STAA fee shall not exceed two hundred dollars (\$200) for each stream crossing, in-stream activity, or other eligible activity. DEQ shall waive twenty-five percent (25%) of the STAA fee for state agency, board, commission, or municipality, city, or county. Fees will be assessed based upon the terms outlined above unless alternative arrangements are agreed to by both OWQ and the permittee, such as an MOU / MOA for longer term arrangements.
3. **RENEWALS** - If the applicant wishes to continue the activity regulated by the STAA after the expiration date of the approval letter, the applicant shall apply for and obtain a STAA renewal. The complete application shall be submitted at least thirty (30) calendar days before the expiration date of the STAA letter. Renewals will also be for one-year terms.
4. **FORMALIZATION** - When prudent, OWQ will propose any needed statutory or regulatory changes to formalize the program. Until that time, OWQ will continue issuing STAAs in accordance with existing statutory and regulatory authority.