



PROPOSED AMENDMENTS TO  
ARKANSAS UNDERGROUND INJECTION CODE

The Arkansas Underground Injection Code as promulgated on the 22nd day of January, 1982 is hereby amended as follows:

1. The enumeration of Federal regulations adopted by reference in Subsection (a) of Section 3 of the Code, entitled "Adoption of Federal Regulations", is hereby amended to read as follows:

40 CFR Part 122, Subparts A, and C (except Section 122.36);  
45 FR 33418 et seq., May 19, 1980; as amended  
46 FR 43610 et seq., August 27, 1981; as amended  
April 8, 1982; and as amended to the date hereof;

40 CFR Part 123, Subparts A and C, 45 FR 33377 et seq.  
May 19, 1980; as amended April 8, 1982; and as amended to  
the date hereof; and

40 CFR Part 124, Subpart A, 45 FR 3345, et seq. May 19,  
1980; as amended April 8, 1982; and as amended to the date  
hereof; and

40 CFR Part 146, Subparts A, B, D, E, and F. 45 FR 42500,  
et seq., June 24, 1980; as amended 46 FR 43161, et seq.,  
August 27, 1981; as amended February 3, 1982; and as  
amended to the date hereof.

2. Section 4 of the Code, entitled "Violations", is hereby amended by redesignating the present Subsections (b), (c), and (d) as (c), (d), and (e) and adding a new Subsection (b) to read as follows:

"(b) No person shall construct, install, or operate a Class IV well as defined in Section 5(d) hereof, and no permit for a Class IV well shall be issued by the Department."

Promulgated this \_\_\_\_\_ day of September, 1982.

BY ORDER OF THE COMMISSION ON POLLUTION CONTROL AND ECOLOGY.

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Chairman

Attest:

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Director

APPROVED:

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FRANK WHITE, Governor  
State of Arkansas



DEPARTMENT OF POLLUTION CONTROL AND ECOLOGY

8001 NATIONAL DRIVE  
LITTLE ROCK, ARKANSAS 72209

501-371-1701 GEN OFFICE  
501-371-1701 AIR DIVISION  
501-371-1701 SOLID WASTE DIV  
501-371-1701 WATER DIV  
501-371-2130 BUS OFFICE

May 18, 1982

Mr. William K. Honker  
Chief, Groundwater Protection Section  
U. S. Environmental Protection Agency  
Region VI  
1201 Elm Street  
Dallas, Texas 75270

RE: Arkansas UIC Code and Primacy Application  
for Class I, III, IV, and V Wells.

Dear Bill:

This letter is to advise you that the amendments to the UIC Code as recommended by the EPA Review Committee will be presented for consideration and comment at the July, 1982 Arkansas Department of Pollution Control and Ecology's scheduled Commission Meeting. Admendments to the code will include a specific ban on any Class IV injection activity above or into an USDW. Also, incorporated into this amendment will be definitions of new terms as mandated by final changes to 40 CFR, Parts 122 and 146 dated February 3, 1982 and April 8, 1982.

At your May 13, 1982 public hearing, you were furnished an addendum to the Arkansas Department of Pollution Control and Ecology Legal Statement that clarified our prohibition of all Class IV activities.

Also enclosed, is a copy of an addendum #1 to the EPA/ADPC&E MOA that assures our prohibition of any Class IV injection wells as defined in 40 CFR 146.05 (d).

A copy of our Primacy Application, with all EPA issues/comments reflected, is also submitted. These comments are:

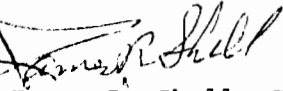
1. Program description, page 50. - This form should reflect all well classes.
2. Program Description, page 66. - Class III salt solution mining wells must also demonstrate mechanical integrity once every five years.
3. Program Description, page 107. - Add "tubing and" after "through" in paragraph starting with "Fluids".
4. Program description, page 109. - Correct conflict in the definition of majors in page 5 of the Program Description and the reference to quarterly non-compliance report which are required of all majors.

I trust that these added assurances and the correction of these issues will hasten our program approval.

If further assistance is needed, please contact me or A. L. Sparks.

Thanks once again for your consideration and assistance.

Sincerely yours,



James R. Shell, Chief  
Water Division

JRS/bjb

cc: Jarrell Southall  
Bob Blanz  
James McHaney  
William E. Wright  
Doug Blair

Encl.