

ARKANSAS DEPARTMENT OF POLLUTION
CONTROL & ECOLOGY

LOCATION - SUBJECT - Revision

to ADPC&E Regulation No. 6

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MINUTE ORDER NO. 87-05

Pursuant to public notice and hearing and after consideration of all comments received, the Commission on Pollution Control and Ecology hereby adopts as a revision to Regulation No. 6, the attached revised Sections 4 and 12.

Promulgated this 27th day of March 1987.

BY ORDER OF THE COMMISSION ON
POLLUTION CONTROL AND ECOLOGY

BY:

CHAIRMAN

ATTEST:

PHYLLIS GARNETT, DIRECTOR

APPROVED:

BILL CLINTON, GOVERNOR
STATE OF ARKANSAS

COMMISSIONERS

[Handwritten signatures of commissioners on lines]

SUBMITTED BY: Vince Blubaugh

DATE PASSED: 3-27-87

CHAIRMAN

SECTION 4. INCORPORATION OF FEDERAL REGULATIONS

a. The following regulations promulgated by the U.S. Environmental Protection Agency are hereby adopted as provisions of this Regulation as though set forth herein line for line and word for word with the exception that, and unless the context otherwise dictates, all references therein to "Administrator," "Regional Administrator," "Director" or "State Director" shall be considered references to the "Director of the Arkansas Department of Pollution Control and Ecology," and all references to the "U.S. Environmental Protection Agency" or "EPA" shall be considered reference to the "Arkansas Department of Pollution Control and Ecology"; and all reference elsewhere in this Regulation to any of the following regulations shall constitute a reference to the regulation as herein adopted; and provided that the effective date of provisions adopted herein by reference as provisions of this Regulation shall be the date such provisions are specified as being effective by the Commission in its rulemaking and the effective date of the federal regulations adopted herein shall have no bearing on the effective date of any provisions of this Regulation:

Title 40 Code of Federal Regulations -

1. Part 116;
2. Part 117;
3. Subparts A, B, C and D of Part 122 with the following exceptions:
122.6 (for analagous provision, see Section 7); 122.7(a);
122.21(1); 122.29(c) and (d); and 122.49;
4. The following provisions, only, of Part 123: 123.25(b),
123.26(d), 123.27(d), and 123.41(a);
5. The following provisions, only, of Part 124: 124.2; 124.3(a);
124.5(a), (c), (d) and (f); 124.6(a), (c), (d), (e); 124.7;
124.8; 124.10(a)(1)(ii), (iii) and (v); 124.10(b), (c), (d) and
(e); 124.11; 124.12(a), (b), (c) and (d); 124.13; 124.14;
124.17(a) and (c); 124.56; 124.57(a); 124.59; and 124.62;
6. Subparts A, B, C, D, H, I, J, K, and L, only, of Part 125;
7. Part 129;
8. Part 133;
9. Part 136;
10. Parts 400 through 471 inclusive Subchapter N).

All as adopted as final rules (including "interim final rules" and "technical amendments") by the U. S. Environmental Protection Agency on or before December 31, 1986.

b. The Director, within 180 days after the date of promulgation of any new or revised federal NPDES regulations, shall conduct rulemaking procedures with reference to this Regulation necessary to maintain a state NPDES program as stringent as the federal program. Such new or revised federal regulations, upon their publication as final rules by EPA, shall constitute minimum guidelines to the Director in formulating rulemaking proposals to this Regulation but shall not be construed to limit or interfere with the adoption of provisions more stringent than federal regulations.

SECTION 12. EFFECTIVE DATE

This Regulation, and all revisions thereto, is effective twenty (20) days after filing with the Secretary of State.