

NOTICE OF PUBLIC HEARING

The Arkansas Pollution Control and Ecology Commission will hold a public hearing December 6, 2005, to receive comments on proposed changes in Regulation No. 25 (Lead-based Paint-Hazard). The hearing will begin at 2:00 p.m. in the Arkansas Department of Environmental Quality's (ADEQ) Building G Commission Room, located within the Arkansas State Police Headquarters, No. 1 State Police Plaza, near the intersection of Geyer Springs Road and Interstate 30.

Commission authority for revising Regulation No. 25 is found in the Arkansas Code, Annotated, Sections 8-4-401 through 8-4-409.

Proposed changes to Regulation No. 25 are designed to make the regulation consistent with Arkansas and federal law, to make the provisions conform stylistically with the other Commission regulations, and to improve readability and citizens' ease in using it.

Proposed changes to the regulation include:

- Changing the regulation title to "Lead-Based Paint Activities," from the current Lead-based Paint-hazard," to correct capitalization and make the title consistent with Title 40 of the Code of Federal Regulations, Part 745, Subpart L, "Lead-Based Paint Activities."
- Deleting definitions of "target housing," and "child-occupied facilities" in Chapter One because they are already defined in Chapter Two of the regulation.
- Making the list of lead-based paint activities conform to the list in Section 25.801 by adding lead-hazard skills.
- Clarifying language in Sections 25.305 (C) and 25.409 (C) to require completion of a disclosure statement and payment of an applicable fee.
- Adding definitions of "arithmetic mean," "chewable surface," "common area group," "concentration," "dripline," "dust-lead hazard," "friction surface," "impact surface," "interior window sill," "loading," "midyard," "paint-lead hazard," "play area," "residential building," "room," "soil-lead hazard," "soil sample," "weighted arithmetic mean," "window trough," and "wipe sample."
- Spelling out acronyms and abbreviations in the definition section to aid casual readers.
- Adding language in Sections 25.402(B) and 25.404 to require risk assessors to successfully complete a licensed inspector training course and project designers to successfully complete a licensed supervisor training course.
- Listing in Section 25.801 instances in which the work practice standards do not apply.
- Requiring in Section 25.804 additional testing for lead under certain circumstances.
- Adding a new section on record-keeping.
- Removing outdated sections in Chapter Four concerning training received between October 1, 1990, and March 6, 1996.
- General housekeeping changes to make the regulation conform to other Commission regulations and improve readability.

Copies of the proposed changes to Regulation No. 25 are available for public inspection during regular business hours at the ADEQ's Little Rock office in the Public Outreach and Assistance Division, located in Building D, 8101 Interstate 30, or in ADEQ information depositories located in public libraries at Arkadelphia, Batesville, Blytheville, Camden, Clinton, Crossett, El Dorado, Fayetteville, Forrest City, Fort Smith, Harrison, Helena, Hope, Hot Springs, Jonesboro, Little Rock, Magnolia, Mena, Monticello, Mountain Home, Pocahontas, Russellville, Searcy, Stuttgart, Texarkana, and West Memphis; in campus libraries at the University of Arkansas at Pine Bluff and the University of Central Arkansas at Conway; or in the Arkansas State Library located on the State Capitol grounds at Little Rock. In addition, a copy of the regulation showing the proposed changes is available for viewing or downloading at the ADEQ's Internet web site located at www.adeq.state.ar.us.

Oral and written comments will be accepted at the hearings, but written comments are preferred in the interest of accuracy. In addition, written and electronic mail comments will be considered, if received no later than 4:30 p.m. December 20, 2005.

Written comments should be delivered or mailed to: Doug Szenher; Public and Media Affairs Manager, Public Outreach and Assistance Division, Arkansas Department of Environmental Quality, 8101 Interstate 30, P.O. Box 8913, Little Rock, AR 72219-8913. Electronic mail comments, including the name and mailing address of the sender, should be sent to: reg-comment@adeq.state.ar.us.

Individuals who plan to attend the hearing should arrive early and bring a driver's license or other form of photo identification in order to receive a visitor's pass to the State Police Building.

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Arkansas Department of Environmental Quality**