NOTICE OF PUBLIC HEARING

The Arkansas Pollution Control and Ecology Commission (Commission) will hold a public hearing August 31, 2009, at North Little Rock to receive comments on proposed changes to Commission Regulation No. 12, which governs the Arkansas Regulated Storage Tank (RST) program. The hearing will begin at 2:00 p.m. in the Arkansas Department of Environmental Quality's (ADEQ) Headquarters Building Commission Room, 5301 Northshore Drive.

Authority for the proposed Commission action is found in the Arkansas Code, Annotated, Sec. 8-7-801 et seq., and Sec. 8-7-901 et seq.

The proposed revisions are designed to make Regulation No. 12 comply with state and federal legislation affecting the state's RST program, specifically Act 264 of the 2007 Arkansas General Assembly, and Act 282 of the 2009 Arkansas General Assembly, and the Federal Energy Policy Act of 2005.

Areas of proposed revision to Regulation No. 12 include:

- Changes to Chapters 1 and 3 to repeal the current requirement for an annual storage tank self-inspection audit to conform to statutory language in Act 282 of 2009.
- Changes to Chapter 3 clarifying the language for eligibility of certain regulated storage tanks for reimbursement from the Arkansas Petroleum Storage Tank Trust Fund (Trust Fund) for remedial actions resulting from tank releases affecting the environment.
- Changes to Chapter 3 establishing a timeframe for requesting review by the Arkansas Petroleum Storage Tank Advisory Committee involving ADEQ determinations on Trust Fund reimbursement eligibility.
- Changes to Chapter 3 establishing a timeframe for submittal of final costs for Trust Fund reimbursement after completion of corrective actions involving a release from an eligible storage tank.
- Changes to Chapter 7 to define and implement operator training requirements of Act 264 of 2007 and the Federal Energy Policy Act of 2005.

Copies of the proposed changes to Regulation No. 12 are available for public inspection during normal business hours at the ADEQ Public Outreach and Assistance (POA) Division on the second floor of the ADEQ Headquarters Building, or at 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, Russellville, Pocahontas, 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; and in the Arkansas State Library located on the State Capitol grounds in Little Rock. In addition, a copy of the regulation showing the proposed changes, along with related support documents, 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 hearing, but written comments are preferred in the interest of accuracy. In addition, written or electronic mail comments will be accepted if submitted no later than 4:30 p.m. September 15, 2009. Written comments should be delivered or

mailed to Doug Szenher, POA Division, Arkansas Department of Environmental Quality, 5301 Northshore Drive, North Little Rock, AR 72118. Electronic mail comments should be sent to: reg-comment@adeq.state.ar.us.

Published July 29 and 30, 2009,

Teresa Marks, Director,
Arkansas Department of Environmental Quality