

EXHIBIT C

Pollution Control and Ecology Commission #014.00-005

Arkansas Pollution Control and Ecology Commission

Regulation No. 5 Liquid Animal Waste Management Systems



FINAL REVISED REGULATION

Adopted by the Arkansas Pollution Control and Ecology Commission August 28, 2015

Regulation Number 5
Liquid Animal Waste Management Systems

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Chapter 9: WATERSHED SPECIFIC REGULATIONS

Reg. 5.901 Buffalo National River Watershed

- (A) The following definitions apply to Reg. 5.901:
 - (1) The “Buffalo National River Watershed” is the area within United States Geologic Service Hydrologic Unit Code 11010005.
 - (2) “Coverage” means a notice of coverage issued pursuant to a National Pollution Discharge Elimination System general permit and Regulation No. 6.
- (B) The Director shall not issue a permit pursuant to Regulation No. 5 for a Confined Animal Operation in the Buffalo National River Watershed with:
 - (1) 750 or more swine weighing 55 pounds or more; or
 - (2) 3,000 or more swine weighing less than 55 pounds.
- (C) Reg. 5.901(B) does not prohibit the Director from:
 - (1) Issuing a permit renewal or modification for a Confined Animal Operation in the Buffalo National River Watershed with an active permit as of the effective date of this regulation; or
 - (2) Issuing a new Regulation No. 5 permit for a facility which holds an active Regulation No. 6 permit or coverage as of the effective date of this regulation.
- (D) A permit renewal, permit modification, or new permit issued pursuant to Reg. 5.901(C) shall not increase the number of swine permitted at a facility.
- (E) Five years from the effective date of this regulation the Director shall initiate rulemaking to either delete this paragraph, Reg. 5.901(E), or delete the entirety of Reg. 5.901.

Chapter 10: EFFECTIVE DATE

Reg. 5.1001 Effective Date

This regulation is effective ten (10) days after filing with the Secretary of State, the State Library and the Bureau of Legislative Research.