

**BEFORE THE ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION**

**IN THE MATTER OF AMENDMENTS TO )  
REGULATION NO. 6: REGULATIONS FOR ) DOCKET NO. 14 \_\_\_-R  
THE STATE ADMINISTRATION OF THE )  
NATIONAL POLLUTANT DISCHARGE )  
ELIMINATION SYSTEM (NPDES) )**

**PETITION TO INITIATE RULEMAKING TO AMEND REGULATION NO. 6**

Comes now, the Arkansas Department of Environmental Quality (hereinafter “ADEQ” or the “Department”), by and through its attorney, Lorielle Gutting, and for its Petition to Initiate Rulemaking to Amend Regulation No. 6, states:

1. Act 1511 of 2013 created a Committee and charged it with developing a policy for providing public notification for any Notice of Intent filed with the Department for a general permit involving a proposed Concentrated Animal Feeding Operation (CAFO) in Arkansas. The Committee is comprised of one representative each from ADEQ, Arkansas Agriculture Department, and Arkansas Farm Bureau and two members appointed by the Governor.

2. Following the recommendations of the Committee, ADEQ proposes to initiate this rulemaking to incorporate additional public notice procedures which shall be followed by any applicant for the CAFO general permit issued pursuant to Regulation No. 6.

3. Lorielle Gutting and Ellen Carpenter, Water Division Chief, from ADEQ will be available to answer questions concerning this proposed rulemaking. A red-lined version of the regulation showing the proposed changes is attached as Exhibit “A” and is hereby incorporated by reference. A copy of the Legislative Questionnaire is attached as Exhibit “B”, and a copy of a financial impact statement for the proposed revision is attached as


Exhibit "C", both of which are incorporated by reference. An analysis of the impact to small businesses is attached as Exhibit "D" and hereby incorporated by reference. A copy of the Economic Impact/Environmental Benefit Analysis is attached hereto as Exhibit "E" and is hereby incorporated by reference. A proposed minute order is attached as Exhibit "F" and is hereby incorporated by reference.

WHEREFORE, ADEQ requests that the Commission initiate the rulemaking process, adopt the proposed Minute Order, and adopt the proposed amendments to Regulation No. 6.

Respectfully Submitted,

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By



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