

BEFORE THE ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION

**IN THE MATTER OF AMENDMENTS TO)
RULE 12: "STORAGE TANKS") DOCKET NO. 24-001-R**

STATEMENT OF BASIS AND PURPOSE
OF THE DIVISION OF ENVIRONMENTAL QUALITY

The Arkansas Pollution Control and Ecology Commission ("Commission") is vested with general authority to make and amend rules in Ark. Code Ann. § 8-01-203(b)(1)(A), and is vested with specific authority to make and amend rules with regard to storage tanks and the Petroleum Storage Tank Trust Fund in Ark. Code Ann. § 8-7-802(A)(1) and Ark. Code Ann. § 8-7-903(b).

The purpose of the revisions to Rule 12 is to conform to the increased reimbursement threshold from the Petroleum Storage Tank Trust Fund, pursuant to Act 422 of 2023. The act increased the amount of refunds available for corrective action from \$1,500,000 to \$2,000,000. Rules 12.512 and 12.610 were also amended to include provisions regarding lapsed licenses and reinstatement as required by Ark. Code Ann. § 17-1-107. Rules 12.513 and 12.611 were also amended to include provisions regarding reciprocity and provisional certificates as required by Ark. Code Ann. § 17-1-108. Section 12.302(E)(2) was also amended to reflect the current structure of the agency division.

The amendments to Regulation 12 are necessary to serve the public interest and ensure compliance with state law.

EXHIBIT A

Respectfully Submitted,

By:



Michael McAlister, Managing Attorney
Department of Energy and Environment
Division of Environmental Quality
5301 Northshore Drive
North Little Rock, Arkansas 72218
(501) 682-0918
Michael.McAlister@adeq.state.ar.us