

# ADEQ

ARKANSAS  
Department of Environmental Quality

January 14, 2013

Sen. Mary Ann Salmon, Co-Chair  
Rep. Tommy Lee Baker, Co-Chair  
Arkansas Legislative Council  
Room 315, State Capitol Building  
Little Rock, AR 72201

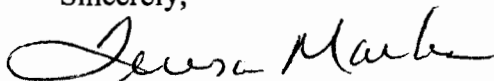
Dear Sen. Salmon & Rep. Baker:

As required in Act 957 of 2011, Section 38(a)-(e), the Arkansas Department of Environmental Quality presents the following information:

- (a) the number and type of environmental permits currently authorized by the Department and Pollution Control and Ecology Commission in each environmental permit category,
- (b) the total funds collected from permit fees for each permit category and the percent increase or decrease in permit fees annually,
- (c) the description of each environmental permit application pending in each environmental permit category, the number of days each permit has been pending, and the reasons for delays in issuing permits for each permit that has been pending for more than 45 days,
- (d) the number and type of enforcement actions initiated by the Department, the geographic location of each violation and the total fines and collections from Supplemental Environmental Projects, the percent increase or decrease in fines levied annually, and
- (e) the description of all pending rulemaking activities and justifications, including economic impact and environmental benefit analysis.

The information provided by each division covers the period October 1, 2012 through December 31, 2012. If you have any questions, please contact Karen Bassett at (501) 682-0959.

Sincerely,



Teresa Marks  
Director

Enclosure

AIR DIVISION

As of: 1/1/2013

State Fiscal Quarter 2nd FY2013

Air Permits/Category

Major Title V 204  
Minor 1039

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Permits Pending- By Category/Facility

MAJOR TITLE V				
CSN	DATE APPLICATION RECEIVED	FACILITY	1/1/2013	Reason Code
1600002	3/10/2008	Acme Brick - Wheeler Plant	1758	2
3500017	4/22/2008	Graphic Flexible Packaging, LLC	1715	5
3500017	4/22/2008	Graphic Flexible Packaging, LLC	1715	5
3200036	7/21/2008	FutureFuel Chemical Company	1625	5
7000037	9/10/2008	Great Lakes Chemical Corporation - South Plant	1574	5
7000037	2/27/2009	Great Lakes Chemical Corporation - South Plant	1404	5
2900506	3/27/2009	AEP - SWEPCO Turk Plant	1376	3
5500017	4/2/2009	Bean Lumber Company, Inc.	1370	8
3200036	4/13/2009	FutureFuel Chemical Company	1359	5
7000037	7/13/2009	Great Lakes Chemical Corporation - South Plant	1268	5
3200036	7/24/2009	FutureFuel Chemical Company	1257	5
7000037	8/7/2009	Great Lakes Chemical Corporation - South Plant	1243	5
4500008	10/5/2009	Fishing Holdings, LLC	1184	5
4700202	10/6/2009	Nucor-Yamato Steel Company	1183	5
5500017	11/3/2009	Bean Lumber Company	1155	8
3500017	11/16/2009	Graphic Flexible Packaging, LLC	1142	5
3200036	1/20/2010	FutureFuel Chemical Company	1077	5
7000012	1/28/2010	Great Lakes Chemical Corporation - Central Plant	1069	3
2300294	2/26/2010	Steele Plastics	1040	7
0400213	3/31/2010	Prefomed Line Products Company	1007	3
7000037	4/2/2010	Great Lakes Chemical Corporation - South Plant	1005	5
2700002	4/13/2010	West Fraiser, Inc. - Leola Lumber Mill	994	7
7000012	5/3/2010	Great Lakes Chemical Corporation - Central Plant	974	3
0400107	6/24/2010	Southwestern Electric Power Company dba Flint Creek Power Plant	922	3
7000012	7/8/2010	Great Lakes Chemical Corporation - Central Plant	908	3
7000012	7/16/2010	Great Lakes Chemical Corporation - Central Plant	900	3
4700202	7/28/2010	Nucor-Yamato Steel Company	888	5
4700202	8/31/2010	Nucor-Yamato Steel Company	854	5
1800082	10/13/2010	Big Rivers Industries, Inc. (Arkalite Division)	811	5
7000037	11/12/2010	Great Lakes Chemical Corporation - South Plant	781	5
3200036	11/19/2010	FutureFuel Chemical Company	774	5
4700202	1/5/2011	Nucor-Yamato Steel Company	727	5
7000012	1/28/2011	Great Lakes Chemical Corporation - Central Plant	704	3
4700202	2/25/2011	Nucor-Yamato Steel Company	676	5
3500017	2/28/2011	Graphic Flexible Packaging, LLC	673	5
6000302	4/19/2011	University of Arkansas for Medical Services (UAMS)	623	5
7000012	4/25/2011	Great Lakes Chemical Corporation - Central Plant	617	3
7000012	5/10/2011	Great Lakes Chemical Corporation - Central Plant	602	3
7000016	5/27/2011	Lion Oil Company	585	5
7000012	7/11/2011	Great Lakes Chemical Corporation - Central Plant	540	3
0700035	8/1/2011	Aerojet - General Corporation	519	3
7200695	8/4/2011	Southwestern Electric Power Company (AEP SWEPCO, Harry D. Mattison Pow	516	6
0700035	8/18/2011	Aerojet - General Corporation	502	3
5800272	8/24/2011	JW Aluminum Company	496	6
1000005	9/15/2011	Georgia-Pacific Wood Products South LLC - Gurdon Plywood and Lumber Cor	474	5
6000003	9/30/2011	3M Industrial Mineral Products Division	459	3
2600022	10/17/2011	Triumph Fabrications-Hot Springs, LLC	442	2
0200028	10/18/2011	Georgia Pacific Chemicals LLC	441	2
7000012	10/28/2011	Great Lakes Chemical Corporation - Central Plant	431	3
4100001	11/1/2011	Ash Grove Cement Company	427	6
0200028	11/15/2011	Georgia Pacific Chemicals LLC	413	2
6100031	11/15/2011	Natural Gas Pipeline Company of America #308	413	6
3200036	11/17/2011	FutureFuel Chemical Company	411	5
4700202	11/23/2011	Nucor-Yamato Steel Company	405	6
7000016	12/14/2011	Lion Oil Company	384	5
3500025	12/16/2011	Planters Cotton Oil Mill, Inc.	382	5
1400008	12/16/2011	Weyerhaeuser NR Company (Emerson Division)	382	5
0200028	12/19/2011	Georgia Pacific Chemicals LLC	379	2
6001071	12/20/2011	City of Little Rock - Solid Waste Facility	378	3
6000302	1/13/2012	University of Arkansas for Medical Services (UAMS)	354	2
3500017	1/20/2012	Graphic Flexible Packaging, LLC	347	5

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2400012	1/25/2012	Thomas B. Fitzhugh Generating Station	342	2
1000005	1/25/2012	Georgia-Pacific Wood Products South LLC - Gurdon Plywood and Lumber Com	342	2
6000302	2/22/2012	University of Arkansas for Medical Services (UAMS)	314	3
3500017	3/1/2012	Graphic Flexible Packaging, LLC	306	5
7000012	3/6/2012	Great Lakes Chemical Corporation - Central Plant	301	3
6000438	3/8/2012	Waste Management of Arkansas, Inc. d/b/a Two Pine Landfill	299	5
3500017	3/8/2012	Graphic Flexible Packaging, LLC	299	5
4300131	3/9/2012	Grace Composites, LLC	298	7
3500016	3/12/2012	Evergreen Packaging	295	5
0700035	3/16/2012	Aerojet - General Corporation	291	6
3500110	3/19/2012	Entergy Arkansas, Inc., dba White Bluff Plant	288	3
7000016	4/5/2012	Lion Oil Company	271	6
3500025	4/23/2012	Planters Cotton Oil Mill, Inc.	253	5
1000005	4/23/2012	Georgia-Pacific Wood Products South LLC	253	5
5400120	5/2/2012	CenterPoint Energy Gas Transmission Company, LLC	244	5
0700035	5/21/2012	Aerojet - General Corporation	225	6
6004196	5/24/2012	LM Wind Power Blades (Arkansas) Inc.	222	6
4700202	5/25/2012	Nucor-Yamato Steel Company (Limited Partnership)	221	6
6100001	5/31/2012	Pinnacle Frames & Accents, Inc.	215	2
2300294	6/1/2012	Steele Plastics, Inc.	214	5
3500116	6/4/2012	U.S. Army, Pine Bluff Arsenal	211	2
3500116	6/4/2012	U.S. Army, Pine Bluff Arsenal	211	2
0200013	6/4/2012	Georgia-Pacific LLC (Crossett Paper Operations)	211	6
3500017	6/8/2012	Graphic Flexible Packaging, LLC	207	5
4700202	6/13/2012	Nucor-Yamato Steel Company (Limited Partnership)	202	6
4700914	6/18/2012	Precoat Metals Corp.	197	5
1000005	6/26/2012	Georgia-Pacific Wood Products South LLC (Gurdon Plywood and Lumber Com	189	5
2800060	6/27/2012	Paragould Light Water & Cable (Paragould Generation Plant)	188	9
7301044	6/29/2012	Texas Gas Transmission, LLC (Bald Knob Compressor Station)	186	5
6000003	7/3/2012	3M Company (3M Industrial Mineral Products Division)	182	3
3500016	7/9/2012	Evergreen Packaging, Inc.	176	5
5800014	7/11/2012	Freeman Brothers, Inc. (Bibler Brothers Lumber Company)	174	3
0400107	7/16/2012	Southwestern Electric Power Company dba Flint Creek Power Plant	169	3
6300155	7/24/2012	BFI Waste Systems of Arkansas, LLC	161	6
3500116	7/24/2012	U.S. Army, Pine Bluff Arsenal	161	2
4700251	7/25/2012	Maverick Tube Corporation	160	6
6600219	7/31/2012	Saint-Gobain Ceramics & Plastics, Inc.	154	9
0200028	8/6/2012	Georgia-Pacific Chemicals LLC	148	2
0100008	8/10/2012	Riceland Foods, Inc. (Soy Division)	144	2
3500016	8/16/2012	Evergreen Packaging, Inc.	138	5
3500116	8/17/2012	U.S. Army, Pine Bluff Arsenal	137	5
4700202	8/24/2012	Nucor-Yamato Steel Company (Limited Partnership)	130	5
3500116	8/27/2012	U.S. Army, Pine Bluff Arsenal	127	2
3500116	8/27/2012	U.S. Army, Pine Bluff Arsenal	127	2
3200036	9/5/2012	FutureFuel Chemical Company	118	5
5200055	9/11/2012	Arkansas Electric Cooperative Corporation (John L. McClellan Generating Stati	112	2
4700115	9/12/2012	Viskase Companies, Inc.	111	2
7000012	9/19/2012	Great Lakes Chemical Corporation (Central Plant)	104	5
0700035	9/19/2012	Aerojet - General Corporation	104	3
6600219	9/25/2012	Saint-Gobain Ceramics & Plastics, Inc.	98	9
7000543	9/27/2012	Union Power Partners, L.P.	96	6
7000101	9/28/2012	Great Lakes Chemical Corporation (West Plant)	95	6
7400024	10/1/2012	Arkansas Electric Cooperative Cooperation (Carl E Bailey Generating Station)	92	2
2300010	10/1/2012	City of Conway Sanitary Landfill	92	6
4100002	10/1/2012	Domtar A.W. LLC	92	5
2600022	10/2/2012	Triumph Fabrications-Hot Springs, LLC	91	5
2400057	10/3/2012	Correll, Inc.	90	4
6300011	10/5/2012	Saint-Gobain Ceramics & Plastics, Inc. (St. Gobain Proppants Plant #3 & Saline	88	2
3500116	10/11/2012	U.S. Army, Pine Bluff Arsenal	82	2
3500116	10/11/2012	U.S. Army, Pine Bluff Arsenal	82	2
1500019	10/12/2012	Green Bay Packaging Inc. (Pinecrest Lumber Division)	81	5
1000005	10/15/2012	Georgia-Pacific Wood Products South LLC (Gurdon Plywood and Lumber Com	78	2
3500017	10/16/2012	Graphic Flexible Packaging, LLC	77	5
2900506	10/19/2012	American Electric Power Service Corporation (John W. Turk Jr. Power Plant)	74	5
1000005	10/22/2012	Georgia-Pacific Wood Products South LLC (Gurdon Plywood and Lumber Com	71	2
3500025	10/23/2012	Planters Cotton Oil Mill, Inc.	70	5
7000016	10/26/2012	Lion Oil Company	67	2
3500116	10/30/2012	U.S. Army, Pine Bluff Arsenal	63	2
5800145	11/1/2012	Superior Graphite Co.	61	2
1400037	11/1/2012	Deltic Timber Corporation (Waldo Mill)	61	2
1400028	11/2/2012	Albemarle Corporation (South Plant)	60	2
2900120	11/6/2012	TIN Inc. d/b/a Temple-Inland (Hope Particleboard)	56	2
2400014	11/8/2012	SGL Carbon, LLC	54	5
2900090	11/13/2012	New Millennium Building Systems, LLC	49	2
1400028	11/13/2012	Albemarle Corporation (South Plant)	49	1
3600004	11/13/2012	Acme Brick Company (Clarksville Eureka Brick Plant)	49	1

MINOR SOURCE	DATE APPLICATION RECEIVED	FACILITY	1/1/2013	Reason Code
6000404	3/11/2011	HWRT Terminal - North Little Rock, LLC	662	3
6001529	6/7/2011	Caterpillar Inc.	574	7
5700001	6/13/2011	Nidec Motor Company	568	6
6000404	10/7/2011	HWRT Terminal - North Little Rock, LLC	452	3
5800098	11/7/2011	Thompson Industries	421	3
4200115	12/12/2011	Cloyes Gear & Products, Inc.	386	5
7201976	2/6/2012	Bub's Inc.	330	5
3100097	2/7/2012	Tyson Poultry, Inc. - Nashville Feed Mill	329	5
0300021	2/16/2012	Eaton Corporation, Hydraulics Fluid Conveyance	320	2
8800823	2/16/2012	Delta Asphalt of Arkansas, Inc.	320	6
7300089	2/27/2012	Eaton Hydraulics, LLC (Searcy Plant)	309	5
3500304	3/19/2012	Central Moloney, Inc. (Components Plants)	288	6
0402129	6/25/2012	Good Wood, Inc. (Good Wood Shavings & Rice Hulls)	190	5
1700076	6/28/2012	Oxane Materials, LLC	187	2
6000499	7/2/2012	Military Department of Arkansas (Robinson Maneuver Training Center)	183	6
6001036	7/13/2012	Hawker Beechcraft Corporation	172	3
6001529	7/26/2012	Caterpillar Inc.	159	7
4200207	7/30/2012	CenterPoint Energy Field Services (East Chismville Compressor Station)	155	5
4200238	7/30/2012	CenterPoint Energy Field Services, LLC (Brownsville Compressor Station)	155	2
4700012	8/3/2012	Kinder Morgan Operating L.P. "C" (Blytheville Terminal)	151	5
1400145	8/5/2012	CMC Steel Fabricators, Inc. (CMC Steel Arkansas)	149	5
3400072	8/7/2012	Riceland Foods, Inc. (Tuckerman)	147	6
7200026	8/16/2012	University of Arkansas, Fayetteville Campus	138	5
4600114	8/17/2012	Smith-Blair, Inc.	137	5
7301149	8/22/2012	Green Oilfield Environmental Services	132	5
1600914	8/24/2012	Murphy Oil USA, Inc. (Jonesboro Terminal)	130	5
8800614	9/4/2012	GS Roofing Products Company, Inc. d/b/a CertainTeed	119	2
6000532	9/7/2012	Union Pacific Railroad Company (North Little Rock Jenks Facility)	116	7
6000004	9/10/2012	Porocel Industries, LLC	113	9
5800263	9/10/2012	ConAgra Foods, Inc. (ConAgra Frozen Packaged Foods)	113	5
2600234	9/18/2012	Mid-America Distillations, Inc.	105	9
8801396	9/24/2012	Terra Pianta, LLC	99	2
3400394	9/25/2012	Ozark Premium Sand, LLC (Scurlock Facility)	98	3
7400051	9/26/2012	Bunge North America, Inc.	97	6
4200056	10/1/2012	Tyson Foods Scranton	92	7
6100001	10/1/2012	Nielsen Bainbridge Frame, Inc. (Pinnacle Frames & Accents, Inc.)	92	2
6600450	10/3/2012	Ashland Inc. (Ashland Performance Materials)	90	6
6000578	10/9/2012	L'Oreal USA Products, Inc.	84	7
1800146	10/9/2012	TETRA Technologies, Inc. (TETRA Chemicals West Memphis)	84	6
6000631	10/15/2012	Univar USA, Inc. ( Little Rock Branch)	78	9
1500642	10/18/2012	Fayetteville Gathering Company (Hattieville Compressor Station)	75	3
5500006	10/18/2012	Electric Mills Wood Preserving, LLC dba Arkansas Pole Mill Inc.	75	7
1700043	10/19/2012	Bekaert Corporation	74	6
1900410	10/22/2012	Kool Metal Recycling LLC	71	2
3700005	10/23/2012	Bonanza Creek Energy Resources, LLC	70	7
2400022	10/23/2012	Butterball, LLC	70	5
4200119	10/26/2012	Pine Bluff Sand & Gravel Company	67	5
3100057	10/29/2012	Jan-Eze Plating Corporation	64	9
2600002	10/29/2012	Evraz Strator, Inc.	64	6
2100121	10/29/2012	Joerns Healthcare LLC dba Akin Industries, Inc.	64	6
1601055	10/29/2012	Baptist Memorial Hospital - Jonesboro, Inc. dba NEA Baptist Memorial Hospital	64	2
2400114	10/30/2012	Baldor Electric Company	63	6
8801028	10/30/2012	Washington County Road Department (Goshen Tuttle Quarry)	63	3
0700022	10/30/2012	Lockheed Martin Corporation (Lockheed Martin Missiles & Fire Control)	63	2
6001545	11/1/2012	DeSoto Sand, LLC	61	6
4800284	11/1/2012	Planters Rice Mill, LLC	61	1
6000058	11/2/2012	Hall Tank Company, LLC	60	5
7200054	11/2/2012	American Tubing, Inc.	60	9
0300002	11/5/2012	Baxter Healthcare Corporation	57	5
2700004	11/7/2012	Kohler Company (Sheridan)	55	3
7000039	11/15/2012	Martin Operating Partnership L.P.	47	5
7500475	11/15/2012	Custom Wood Recycling, Inc.	47	9

Reason Codes	
1	Conducting Administrative Completeness Review
2	Reviewing Technical Information
3	Awaiting Information from Applicant
4	Modification Class Change
5	Drafting Draft Permit Decision
6	Awaiting Close of Public Comment Period
7	Drafting Response to Comments
8	Novel Legal Issues
9	Other

As of: 12/20/2012

State Fiscal Quarter: Second

**Hazardous Waste Management Permits**

Post-Closure: 5  
Hazardous Waste Management: 13

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**Applications Pending** 3

Type/Name	Permit No.	Days Pending	Reason Code
Permit Modification/Clean Harbors/MRU Addition	10H-RN1	178	6
Permit Modification/Clean Harbors/New Incin Support Units	10H-RN1	31	1 and 2
Permit Modification/PBEDS/Add 2 EDS Units	39H	79	6

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1	Conducting Administrative Completeness Review
2	Reviewing Technical Information
3	Awaiting Information from Applicant
4	Modification Class Change
5	Drafting Draft Permit Decision or Mod. Approval
6	Awaiting Close of Public Comment Period
7	Drafting Response to Comments
8	Novel Legal Issues
9	Other:

# MINING DIVISION

As of: | 12/31/2012 |

State Fiscal Quarter | 2nd FY13 |

## Mining Division Permits/Category

Coal Mining		Open-Cut Mining	
Active	5	Sand and Gravel	150
Exploratory		Clay	35
		Shale	17
		In-Stream	4
		Soil	40
		Other	11
Coal Total	5	Open-Cut Total	257
<b>Total Mining Permits</b>	<b>262</b>		

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## Permits Pending- By Category/Facility

COAL MINING		Days Pending	Reason Code
Comer Mining Co.		109	2
OPEN-CUT MINING		Days Pending	Reason Code
Tommy Coin		411	5
David Spence		263	3
Quikrete		214	2
Quikrete		214	2
Bradley Shale and Fill		210	3
R and C Land Developing Co.		118	5
R&R Dirtworks		110	3
Mountain View Ready Mix		104	5
Cleve Batte Construction		98	5
Cleve Batte Construction		98	5

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### Reason Codes:

1	Conducting Administrative Completeness Review
2	Reviewing Technical Information
3	Awaiting Information from Applicant
4	Awaiting Public Hearing
5	Awaiting Close of Public Comment Period
6	Drafting Response to Comments
7	Drafting Draft Permit Decision
8	Legal Issues
9	Other:

# SOLID WASTE DIVISION

As of: 12/31/12

State Fiscal Quarter 2

## Solid Waste Management Permits/Category

Class 1 Landfills	32
Class 3 Landfills	29
Class 4 Landfills	37
Compost Facilities	25
CDMRF	0
Tire Processing Facilities	10
Transfer Station/WRFs	92

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## Permits Pending- By Category/Facility

Class 1 Landfill Apps/Mods	Days Pending	Reason Code
WCA - Rolling Meadows Expansion Major Mod	1977	3
City of Conway Class 1 Major Mod	1123	2
Mississippi Co. Class 1 Major Mod	609	2
WM - Jefferson Co. Minor Mod	537	3
WCA Union Co. Class 1 Major Mod	332	1
WM Eco-Vista Minor Mod	376	2
WM Ozark Ridge Minor Mod	271	2
WM Jefferson Co. Minor Mod	242	2

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Class 3 Landfill Apps/Mods	Days Pending	Reason Code
Entergy Independence Major Mod	2223	2
Entergy White Bluff Major Mod	1326	3
EMS 3T Minor Mod	903	3
Flint Creek 3N Major Mod	620	2
Sloan Valve 3N Minor Mod	305	3
White River RSWMD 3T	662	2

Class 4 Landfill Apps/Mods	Days Pending	Reason Code
City of Conway Major Mod	2584	3
Cleburne Co. Class 4 Major Mod	1281	3
Clark Co. Major Mod	962	3
NABORS Minor Mod	101	3

Compost Facility Apps/Mods	Days Pending	Reason Code
City of Hot Springs	551	3

C&DRF Apps/Mods	Days Pending	Reason Code
Energy Source	826	8

<b>Tire Processing Facility Apps/Mods</b>		<b>Days Pending</b>	<b>Reason Code</b>
West River Valley Tire Processor		384	1
<b>Transfer Station Apps/Mods</b>		<b>Days Pending</b>	<b>Reason Code</b>
Bella Vista TS		521	6
Rick Taylor TS/MRF		300	6
Clark County TS		88	1
<b>WRF Apps/Mods</b>		<b>Days Pending</b>	<b>Reason Code</b>
Jefferson Co. SWRF		531	1
Get Rid of It		391	1

**Reason Codes:**

1	Conducting Administrative Completeness Review
2	Reviewing Technical Information
3	Awaiting Information from Applicant
4	Awaiting Public Meeting
5	Drafting Draft Permit Decision
6	Awaiting Close of Public Comment Period
7	Drafting Response to Comments
8	Novel Legal Issues
9	Other:



As of:	1/1/2013
State Fiscal Quarter	2

### Active No-Discharge Permits

Agriculture	275
Industrial	645
Salt Water Disposal	438
Municipal	49
Domestic	6
Underground Injection Control (UIC)	6

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### Permits Pending Greater than 45 Days

Facility	Permit Number	Days Pending	Reason Code
Arkansas Fleet Maintenance Center	4478-WR-3	47	1
Simmons Foods, Inc.	5186-W	50	5
Arkansas Reclamation Company, LLC	5006-WR-3	50	1
Sonstegard Foods of Arkansas	4994-WR-1	54	4
Terra Renewal Services	4485-WR-10	54	1
Killingsworth Mobile Home Park	4538-WR-4	56	4
Mountain-Aire Sanitation, Inc.	4679-WR-3	57	1
University of Arkansas Winthrop Rockefeller Center	4897-WR-1	58	9
Guy Perkins School District	4995-WR-1	58	1
J & B Mobile Home Park	5185-W	58	1
Best Western Village Inn	2381-WR-3	61	4
Nucor-Yamato Steel Company	5007-WR-2	62	2
Gerdau MacSteel	4422-WR-4	62	1
Clinton Meat Processing Co.	1897-WR-4	63	1
White River Materials, Inc.	0999-WR-3	64	2
Cowart Farm	4279-WR-1	64	4
Terra Renewal Services, Inc.	4983-WR-1	70	1
City of Melbourne Water Utilities	5172-WR-1	75	2
William (Bud) Beaty	5183-W	78	4
FCC Environmental, LLC	5179-WR-1	78	1
Highfill Wastewater Treatment Plant	4911-WR-1	84	4
Allens, Inc. - Country Plant	4438-WR-5	92	2
North Little Rock Wastewater Utility	4665-WR-3	92	1
Weyerhaeuser Dierks Mill	5182-W	93	1
L&R Dairy	3732-WR-1	96	4
Midway Isolation Farm	4473-WR-1	96	4
Midway Boar Farm	4430-WR-1	96	4
Terra Renewal Services, Inc.	4963-WR-1	98	4
CG Roxane Crystal Geyser	4964-WR-1	103	5
Terra Renewal Services, Inc.	4691-WR-2	106	4
Ash Flat WWTF	5180-W	131	7
Kenny Camp-Wastewater Land Application	4848-WR-2	135	5
Cossatot River High School	5178-W	140	2
Tri-State Thermo King, Inc.	4582-WR-2	148	7
Terra Renewal Services, Inc.	4521-WR-4	155	7

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Riverbend Park Property Owners Association, Inc.	4970-WR-2	160	7
South Plant Process Water Treatment Unit	5175-W	163	4
Harris Waste Storage Lagoon	5171-W	181	2
Terra Renewal Services, Inc.	4795-WR-4	183	7
Extraneous Water Treatment System	3532-WR-8	194	4
Terra Renewal Services, Inc.	4823-WR-6	205	7
Terra Renewal Services, Inc.	4652-WR-6	216	7
Atkins Water Works	5168-W	217	7
Eureka Springs Composting Facility	5167-W	224	7
Saddlebock Brewing LLC	5166-W	224	7
Great Lakes Chemical Corporation - Newell Plant	0655-WR-3	232	4
Central Plant	3204-WR-2	233	4
Bub's, Inc.	4782-WR-4	254	7
Huntsville Wastewater Treatment Facility	5157-W	274	7
Brine Solids Dewatering Unit	3419-WR-5	301	4
Albemarle West Brinefield System	4007-WR-3	315	4
Albemarle South Brinefield System	2189-WR-7	315	4
Horsebend Estates	4930-WR-2	322	7
Primrose Creek Subdivision	4059-WR-3	355	7
Great Lakes Chemical Corporation - Central Plant	3883-WR-4	422	7
Great Lakes Chemical Corporation - West Plant	1755-WR-6	422	4
South Plant Brinefield	5048-WR-1	422	4
Bethel Oaks Subdivision	4875-WR-1	447	2
Washington County Improvement District. No. 1	5135-W	483	7
Delta Plastics of the South, LLC	4876-WR-1	684	7
FutureFuel Chemical Company	5082-W	980	9
Treasure Isle R.V.	1664-WR-2	1066	2

**Reason Codes:**

1	Reviewing Technical Information
2	Waiting on information from Applicant
3	App. complete; Waiting on close of 1st public comment period
4	1st comment period complete; Draft permit pending issuance
5	Draft permit issued; waiting on 30-day comment period
6	Waiting on proof-of-publication of draft permit
7	Final Permit in routing/being prepared
8	Waiting on AOGC Authority letter
9	Other (i.e. legal, no response from applicant, etc.)

Arkansas Department of Environmental Quality  
 Section 38 Report, Water Division, Q2 SFY 2013  
 Permit Applications > 45 Days

1/4/2013

As of:	1/1/2013
State Fiscal Quarter	2

**NPDES Permits/Category**

<b>Individual Permits</b>	
Municipal	359
Industrial	438
<b>Stormwater Permits</b>	
Construction	805
Industrial	1909
Small Municipal Separate Storm Sewer System (MS4)	
Individual	46
<b>General Permits</b>	
Landfill	39
Non-Contact Cooling Water	11
Aggregate Facilities	45
Individual Treatment	192
Concentrated Animal Feeding Operations	1
Water Treatment	128
Hydrostatic Testing	42
Car Wash	15
Ground Water	12
Pesticide	82
<b>Total</b>	<b>4125</b>

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**Permits Pending- By Category/Facility**

Q2 SFY 2013

Permit Number	Owner Name	Facility Name	Days Pending	Reason Code
AR0000752		El Dorado Chemical Company	2191	4
AR0049743		El Dorado Water Utilities	1903	8
AR0035386		FutureFuel Chemical Company	1672	5
AR0001171		Great Lakes Chemical Corporation - Central Plant	1636	4
AR0022063		City of Springdale	1561	4
AR0000647	Lion Oil Company	El Dorado Refinery	1435	6
AR0050539	Pinewood Wastewater, LLC	Pinewood Estates Subdivision	952	6
AR0050288	City of Fayetteville	West Side Wastewater Treatment Facility	935	8
AR0043397		City of Rogers	918	8
AR0020010	City of Fayetteville	Paul R. Noland Wastewater Treatment Plant	757	8
AR0000582	Alcoa Inc.	Arkansas Remediation	631	4
AR0049557	Plum Point Services Company, LLC	Plum Point Energy Station	530	7
AR0022250		City of Dermott - South Pond	524	4
AR0049425	Associated Electric Cooperative, Inc.	Dell Power Plant	466	2
AR0052027		G & B Terminal, Inc. and Affiliates	463	7
AR0050296		Lion Oil Company Great Lake Chemical Corporation El Dorado Chemical Company El Dorado Water Utilities	453	6

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Permits Pending- By Category/Facility

Q2 SFY 2013

Permit Number	Owner Name	Facility Name	Days Pending	Reason Code
AR0049611	Arkansas Electric Cooperative Corporation	Hot Spring Generating Station	426	7
AR0052035		Wooten Sand & Gravel, Inc.	424	7
AR0002968	Domtar A.W. LLC	Ashdown Mill	420	7
AR0033197		Heritage Bay Horizontal Property Regime Unit One, Inc.	407	7
AR0041734		Tyson Foods, Inc. - Nashville	342	7
AR0022373		West Fork Wastewater Treatment Plant	327	8
AR0001147		Entergy Arkansas, Inc. - Lake Catherine Plant	302	6
AR0034321		City of Harrison	272	8
AR0052086	SEECO, Inc.	Jared Wood Water Reuse/Recycle Facility	271	6
AR0052086C	SEECO, Inc.	Jared Wood Water Reuse/Recycle Facility	271	6
AR0002917	Weyerhaeuser NR Company	Dierks Mill	266	6
AR0048356	Tyson Foods, Inc.	River Valley Animal Foods	266	8
ARG640177C	Lonoke White Public Water Authority	Water Treatment Plant	259	6
AR0022365		Camden Water Utilities	258	6
AR0052175	SEECO, Inc.	Hartwick Water Reuse/Recycle Facility	258	6
AR0041629		Westside Consolidated School District No. 5	257	6
AR0038466		City of Hope-Bois D'Arc WWTP	256	2
AR0020273		City of Siloam Springs	256	8
AR0021903		City of Wynne	250	6
AR0042315		Crossett Harbor Port Authority	242	7
AR0042609		City of Harrell	236	6
AR0052205		Triple B Wood Dealers	235	2
AR0041416		Timber Ridge Ranch NeuroRestorative	235	6
AR0046078		Fairfield Bay Wastewater Corporation Grand Isle WWTP	230	6
AR0046523		Maverick Tube Corporation	224	7
AR0048305		City of Stamps - South Plant	217	2
AR0043516		Great Lakes Chemical Corporation - West Plant	216	6
AR0049751		Sheridan White Rock, Inc.	216	4
AR0000612		Firestone Building Products Company, LLC	209	6
AR0045535		Camp Canfield	209	6
AR0043117		Nucor-Yamato Steel Company	208	5
AR0022381	Heber Springs Water and Sewer Commission	d/b/a Heber Springs Water Department Heber Springs Wastewater Treatment Plant	208	6
AR0046345		Spring Hill School	197	7
AR0044938	Ecology Management, Inc.	Wastewater Treatment Facility	196	2
AR0050776		Precoat Metals	196	5
AR0045560	Recovery Centers of Arkansas	Oasis Renewal Center	193	6
AR0052213		Bruce Oakley, Inc.	187	7
AR0048895		Little Rock Harbor Service, Inc.	187	7
AR0048593	Trinity Materials, Inc.	Lockesburg Plant #1544	186	6
AR0021792		City of Berryville	180	8
AR0022578		City of Blytheville - South Treatment Facility	179	2
AR0046698	West Fraser, Inc.	Leola Lumber Mill	179	7
AR0048054		Quad Hardwood Products, Inc.	179	2
AR0021601		Searcy Wastewater Treatment Facility	169	4
AR0035432	U.S. Army Corps of Engineers	Caddo Drive Recreation Area, DeGray Lake	159	2
AR0020231	U.S. Army Corps of Engineers	Shouse Ford Recreation Area, DeGray Lake	159	2

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Permits Pending- By Category/Facility

Q2 SFY 2013

Permit Number	Owner Name	Facility Name	Days Pending	Reason Code
AR0035459	U.S. Army Corps of Engineers	Alpine Ridge Recreation Area, DeGray Lake	159	2
AR0020222	U.S. Army Corps of Engineers	Iron Mountain Recreation Area, DeGray Lake	159	2
AR0036013	U.S. Army Corps of Engineers	Arlie Moore Recreation Area, DeGray Lake	159	2
AR0036021	U.S. Army Corps of Engineers	Spillway/Dam Recreation Area, DeGray Lake	159	2
AR0050717	Tim P. Tyler	dba Arkansas Water and Wastewater Management Corporation- Eaglebrook Subdivision	155	3
AR0049808		Saint-Gobain Proppants, Inc	152	6
AR0052230	Rakko Concrete, LLC	Rakko Ready Mix - Brookland Facility	152	5
AR0037605	Arkansas Department of Parks and Tourism	Lake Queen Wilhelmina State Park	151	2
AR0033715		City of Carthage	151	2
AR0034312		City of Bay	146	2
AR0050831	Lonoke County Property Owners' Multipurpose Improvement District No. 12 (Mound Lake Subdivision)	Mound Lake II Phase III Wastewater Treatment Plant	146	2
AR0046272		City of Bassett	146	7
AR0020664	USDA Forest Service	USDAFS-Blanchard Springs Caverns	141	2
AR0001511		Gerber Products Company	139	2
AR0037796	Georgia-Pacific Wood Products South LLC	Gurdon Plywood and Lumber Complex	138	5
AR0049786		Town of Bauxite	138	5
AR0048542		North Little Rock Electric Department Murray Hydroelectric Plant	134	7
AR0052256		Patterson Hardwoods, Inc.	134	2
AR0034347		City of Sheridan	133	2
AR0021661		City of Cabot	132	6
AR0021962		City of Gosnell	132	2
AR0052248C		American Composting, Inc.	131	2
AR0052248		American Composting, Inc.	131	2
AR0021776C	City of Nashville	Wastewater Treatment Plant	127	2
AR0033880	City of Hot Springs	Regional Wastewater Treatment Plant	127	6
AR0046612		Brazeale Lumber Company	127	2
AR0040967	Van Buren Municipal Utilities Commission	Van Buren North Treatment Plant	126	2
AR0001163		Remington Arms Company, LLC	118	5
AR0048640		Deltic Timber Corporation	118	2
AR0049891	Anthony Timberlands, Inc.	Camden Log Yard	118	2
AR0000680		Great Lakes Chemical Corporation - South Plant	118	2
AR0042439	Nevada School District #1	Nevada High School	117	2
AR0022021		West Helena Water Utilities	117	2
AR0048402	Johnny Hewitt	LMJ Trailer Park	117	5
AR0021768C2	City Corporation	Russellville Water and Sewer System	112	6
AR0044016C	Arkansas Department of Corrections	North Central Unit, IZARD County Facility	112	6
AR0021865		City of Eureka Springs	112	6
ARG640134C	Grand Prairie Regional Water Distribution District	Lonoke Treatment Plant	110	6
AR0049867		Bedford Falls Mobile Home Park	110	2
AR0021571		City of Booneville	110	2
AR0029181	U.S. Fish and Wildlife Service	Greers Ferry National Fish Hatchery	106	2
AR0021466		City of Alma	106	5
AR0050806	The Arkansas Conference Association of Seventh Day Adventists	d/b/a Camp Yorktown Bay	105	6
AR0042293	Harbor South Improvement District No. 1 of Montgomery County	Harbor South Development Property Owners Association	104	2

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**Permits Pending- By Category/Facility**

**Q2 SFY 2013**

Permit Number	Owner Name	Facility Name	Days Pending	Reason Code
AR0021733		City of DeQueen	103	2
AR0041548		City of Fouke	98	2
AR0048658	Paul Harrison	dba Hunters Glen Owners Association	97	2
AR0000663		Berry Petroleum, Inc.	97	5
AR0040991		Subiaco Waste Water Plant	97	5
AR0050792	Waste Water Management, Inc.	d/b/a Oak Tree Subdivision WWTP	97	2
AR0052264		Perry County Class 4 Landfill	92	2
AR0042803		City of Griffithville	92	2
AR0034932		City of Mulberry Wastewater Treatment Plant	92	5
AR0037567	Van Buren Municipal Utilities Commission	Lee Creek Industrial Park Treatment Plant	92	5
AR0046680		City of Sulphur Rock	92	5
AR0042889	AI's Truck Stop of Malvern, Inc.	d/b/a JJ's Truck Stop, Inc.	90	2
AR0050431M		Sebastian County & Blackstone Ranch Wastewater Treatment Board	85	6
AR0020303	North Little Rock Wastewater Utility	Faulkner Lake Plant	83	5
AR0042781		City of McDougal	83	5
AR0035254	City of Horseshoe Bend	White Oak Wastewater Treatment	82	5
AR0039608	City of Horseshoe Bend	Paradise Acres	82	5
AR0021661C		City of Cabot	75	5
AR0050008C		Chicot County Park	68	5
AR0050008		Chicot County Park	68	5
AR0001678		U.S. Army Pine Bluff Arsenal	63	5
AR0047635M		Albemarle Corporation-West Plant	61	2
AR0035491		City of Lamar	60	5
AR0050661	City of Banks	Tinsman, AR Wastewater Treatment Facility	56	6
AR0046752		MAPCO Express #3154	56	5
AR0040177	Little Rock Wastewater	Fourche Creek Wastewater Treatment Plant	56	5
AR0036749	Arkansas Department of Human Services	Arkadelphia Human Development Center	56	5
AR0022039		West Memphis Wastewater Treatment Facility	54	5

**Reason Codes:**

1	Waiting for Public Hearing on WQMP
2	Reviewing drafted permit
3	Awaiting Information from Applicant
4	Waiting for EPA approval of WQMP or Permit
5	Preparing Draft Permit Decision
6	Awaiting Close of Public Comment Period or Ready for PN
7	Drafting Response to Comments
8	Other

**Memorandum**

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**DATE:** January 8, 2012

**TO:** LEGISLATIVE COUNCIL

**FROM:** TERESA MARKS, DIRECTOR  
ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY

**RE:** SECTION 38 (a) – (e) of ACT 957 OF THE 2011 REGULAR  
SESSION OF THE ARKANSAS GENERAL ASSEMBLY

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As provided by Section 38 (a) – (e) of Act 957 of the 2011 Regular Session, the Arkansas Department of Environmental Quality (“Department”) presents the number and type of administrative enforcement actions initiated by the Department and the geographic location of each violation. This information is contained in the attached copies of the Public Notice for the period of October 1, 2012 through December 31, 2012. Pursuant to A.C.A. § 8-4-103 (d) (1) the Department is required to Public Notice any administrative enforcement order and the notice must include the type of enforcement action, the geographic location of the violation, and the amount of penalty assessed. (See Attachment) The total number of administrative enforcement actions initiated during this time period is 62.

Additionally the Department is authorized by A.C.A. § 8-4-103 (b) to institute a civil action in any court of competent jurisdiction to compel compliance with state environmental laws and regulations. Following is a list of actions which have been filed in court for the period of October 1, 2012 through December 31, 2012.

Type of Enforcement Action	Defendant	Geographic Location
Civil Complaint	Northwest Paving Company, Inc.	Benton County Circuit Court
Civil Complaint	Randy West	Baxter County Circuit Court

The Department presents the total amount of fines and collections from Supplemental Environmental Projects verified by the Department for the period of October 1, 2012 through December 31, 2012.

Civil Penalties Collected	\$228,287.50
Supplemental Environmental Projects Verified	\$0.00

**CONSENT ADMINISTRATIVE ORDERS**

BodyCote K-Tech, Inc., Garland County, Hazardous Waste Division, \$31,593.75 Penalty, LIS No. 12-128

Great Lakes Chemical Corporation-South Plant, Union County, NPDES/Water Division, \$24,352.00 Penalty, LIS No. 12-127

Greenfield Capital Development, LLC, Washington County, Water Division, \$1,000.00 Penalty, LIS No. 12-121

**NOTICES OF VIOLATION**

Harrison School District Bus Garage, Boone County, Regulated Storage Tanks Division, \$2,600.00 Penalty, LIS No. 12-122

Helton Farms, Inc., Mary C. Helton, Registered Agent, Cross County, Regulated Storage Tanks Division, \$3,200.00 Penalty, LIS No. 12-124

Petromark, Steven D. Turner, Registered Agent, Regulated Storage Tanks Division, Boone County, \$1,800.00 Penalty, LIS No. 12-123

Dated this 10<sup>th</sup> day of October 2012

Teresa Marks, Director

Arkansas Department of Environmental Quality

**CONSENT ADMINISTRATIVE ORDERS**

Baptist Health, Pulaski County, Hazardous Waste Division, \$9,562.50 Penalty, LIS No. 12-134

City of Diaz, Jackson County, NPDES/Water Division, \$700.00 Penalty, LIS No. 12-133

James Williams, Jointly and Severally, David Williams, Jointly and Severally, Bill Pettway,



Jointly and Severally, and Patty Pettway, Jointly and Severally, Sebastian County, Hazardous Waste Division, \$10,000.00 Penalty, LIS No. 11-188

Jefferson County Waste Tire Processing Facility, & Southeast Arkansas Regional Solid Waste Management District, Jefferson County, Solid Waste Division, No Penalty, LIS No. 12-130

Jerry Faulkner Construction, Inc., White County, Air Division, \$2,800.00 Penalty, LIS No. 12-129

Mr. Bob D. Tasler, White County, Mining Division, \$1,000.00 Penalty, LIS No.12-138.

Richardson Properties, LLC, Pulaski County, NPDES/Water Division, \$2,050.00 Penalty, LIS No. 12-132

River Valley Waste Removal, Inc., Solid Waste Transporter, Crawford County, Solid Waste Division, \$5,906.40 Penalty, LIS No. 12-135

Sourcegas Arkansas Inc., -Davis Compressor Station, Franklin County, Air Division, \$1,000.00 Penalty, LIS No. 12-131

#### **NOTICES OF VIOLATION**

B's Bearkat Station, Inc., John Miller II, IZard County, Regulated Storage Tanks Division, \$1,400.00 Proposed Penalty, LIS No. 12-137

Dated this 25<sup>th</sup> day of October 2012  
Teresa Marks, Director  
Arkansas Department of Environmental Quality

#### **CONSENT ADMINISTRATIVE ORDERS**

Cashaw Consulting & Planning Services of Arkansas, Inc, and Fredrick Cashaw, Individually, Pulaski County, Asbestos, Penalty \$7,49375, LIS No. 12-149

Clean Harbors El Dorado, LLC, Union County, Air Division, \$10,012.50 Penalty, LIS No. 12-145.

Premcor Refining Group Inc.,-Valero West Memphis Terminal, Crittenden County, Air Division, \$3,200.00 Penalty, LIS No. 12-136.

Riceland Foods, Inc.- Soy Division, Arkansas County, Air Division, \$80,250.00 Penalty, LIS No. 12-139

U.S. Army Corps of Engineers – W.G. Huxtable Pumping Station, Lee County, Air Division, \$9,600.00 Penalty, LIS No. 12-142

### **DEFAULT ADMINISTRATIVE ORDERS**

Curt Bean Lumber Company, Inc., Clark County, Hazardous Waste Division, \$10,000.00 Penalty, LIS No. 12-074

### **NOTICES OF VIOLATION**

City of Altheimer, Jefferson County, NPDES/Water Division, \$1,650.00 Proposed Penalty, LIS No. 12-144

Unilin Flooring, NC., LLC, The Corporation Company, Izard County, Regulated Storage Tanks Division, \$3,000.00 Proposed Penalty, LIS No. 12-143

American Composting, Inc., Mr. James Willits President and Registered Agent, Pulaski County, Solid Waste Management Division, \$46,450.00 Proposed Penalty, LIS No. 12-148

TN AR Materials Corp, Faulkner County, NPDES/Water Division, \$1,700.00 Penalty, LIS No. 12-147

### **NOTICES OF VIOLATION AND PERMIT REVOCATIONS**

Bean Lumber Company, Inc., Pike County, Hazardous Waste Division, Regulated Storage Tanks Division, and Solid Waste Division, \$4,500.00 Proposed Penalty, LIS No. 12-125

Oilfield Compliance Solutions, LLC, Mark M. Hampton, Registered Agent and Manager, White County, NPDES/Water Division, \$36,500.00 Proposed Penalty, LIS No. 12-141

THI, Inc., Jefferson County, Solid Waste Division, \$990.00 Past Due Permit Fees, LIS 12-095

### **AMENDED CONSENT ADMINISTRATIVE ORDERS**

City of Perryville, Perry County, NPDES/Water Division, No Penalty, LIS No. 10-072-001

James Williams, Jointly and Severally, David Williams, Jointly and Severally, Bill Pettway, Jointly and Severally, and Patty Pettway, Jointly and Severally, Sebastian County, Hazardous Waste Division, \$10,000.00 Penalty, LIS No. 11-188

### **ELECTIVE SITE CLEAN-UP AGREEMENTS**

Triumph Airborne Structures, Inc., Regarding: Triumph Airborne Structures, Inc., Garland County, Hazardous Waste Division, No Penalty, LIS No. 12-140

Dated this 10<sup>th</sup> day of November 2012  
Teresa Marks, Director  
Arkansas Department of Environmental Quality

**CONSENT ADMINISTRATIVE ORDERS**

R.K. Hall Construction, LTD., Pike County, Air Division, Penalty, \$4,300.00 LIS No. 12-150

**NOTICES OF VIOLATION**

Health Management Associates, Inc., Crawford County, Van Buren County, Regulated Storage Tanks Division, \$2,000.00 Proposed Penalty, LIS No. 12-153

Huntsville School District, Madison County, Regulated Storage Tanks Division, \$2,800.00 Proposed Penalty, LIS No. 12-151

Dated this 25<sup>th</sup> day of November 2012  
Teresa Marks, Director  
Arkansas Department of Environmental Quality

**CONSENT ADMINISTRATIVE ORDERS**

Bridgers Coaches, Inc. dba Taylor Made Ambulance, Jackson County, Hazardous Waste Division, \$11,250.00 Penalty, LIS No. 12-156

Jerry Davis d/b/a J.D. Oldes Salvage, Benton County, NPDES/Water Division, \$450.00 Penalty, LIS No. 12-157

Josie Company, L.L.C. dba St. Joseph's Glen Subdivision, Saline County, NPDES/Water Division, \$3,025.00 Penalty, LIS No. 12-160

Little Rock & Western Railway, L.P., Perry County, NPDES/Water Division, \$450.00 Penalty, LIS No. 12-163

R&R Real Estate, LLC, Craighead County, Mining Division, \$5,000.00 Penalty, LIS No. 10-051

Rick Taylor, Inc., Solid Waste Transporter, Pope County, Solid Waste Division, \$3,868.50 Past Due Payment Fees, LIS No. 12-158

Sky King Logistics, Inc., Van Buren, County, Water Division, \$750.00 Penalty, LIS No. 12-164

Tri-Co, Inc., Izard County, Water Division, \$3,000.00 Penalty, LIS No. 12-155

Union Pacific Railroad Company-North Little Rock Jenks Facility, Pulaski County, Air Division, \$1,200.00 Penalty, LIS No. 12-161

**NOTICES OF VIOLATION**

A.G. Hunt Construction Co., Inc., Ms. Rhetina Mitchner Registered Agent, Jackson County, Mining Division, Proposed Penalty, \$50,000.00, LIS No. 12-159

Frost Oil Company, Jeff Frost, Registered Agent, Crawford County, Regulated Storage Tanks Division, Proposed Penalty, \$1,800.00, LIS No. 12-154

R&R Dirt Works, Inc., Mr. Matt Bishop, Registered Agent, Carroll County, NPDES/Water Division, Proposed Penalty, \$4,800.00, LIS No. 12-162

**AMENDED CONSENT ADMINISTRATIVE ORDERS**

City of Pea Ridge, Benton County, NPDES/Water Division, No Penalty, LIS No. 12-004-001

Dated this 10<sup>th</sup> day of December 2012  
Teresa Marks, Director  
Arkansas Department of Environmental Quality

**CONSENT ADMINISTRATIVE ORDERS**

Carlson Mills, Inc., Crittenden County, NPDES/Water Division, \$450.00 Penalty, LIS No. 12-168

Contech Construction Products, Inc., Lawrence County, NPDES/Water Division, \$450.00 Penalty, LIS No. 12-171

El Dorado Sewer Improvement District, South Plant, Union County, NPDES/Water Division, \$1,000.00 Penalty, LIS No. 12-167

Fort Smith Railroad Company, Sebastian County, NPDES/Water Division, \$450.00 Penalty, LIS No. 12-170

Hersey Anderson d/b/a Anderson Wrecking, Ouachita County, NPDES/Water Division, \$450.00 Penalty, LIS No. 12-169

Husqvarna Consumer Outdoor Products N.A., Inc., Howard County, Air Division, \$500.00 Penalty, LIS No. 12-172

Luke Hawkins d/b/a L&R Dairy, Conway County, Water Division, \$200.00 Penalty, LIS No. 12-175

Metal Management Mississippi, Inc., Union County, NPDES/Water Division, \$450.00 Penalty, LIS No. 12-176

RockTenn CP, LLC, Faulkner County, Air Division, \$5,800.00 Penalty, LIS No. 12-174

**NOTICES OF VIOLATION**

Anderson Gas & Propane, Inc., Don Anderson, Registered Agent, Madison County, Regulated Storage Tanks Division, \$3,600.00 Proposed Penalty, LIS No. 12-166

New Greenfields, Inc., Homer Comer, Registered Agent, Sebastian County, Water Division, \$5,200.00 Proposed Penalty, LIS No. 12-173

Dated this 25<sup>th</sup> day of December 2012  
Teresa Marks, Director  
Arkansas Department of Environmental Quality

ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION  
QUARTERLY REPORT TO ARKANSAS LEGISLATIVE COUNCIL  
ON RULEMAKING ACTIVITIES

e

Months In Quarter: October, November, December 2012

**1. Regulation Number and Name:** Regulation No. 2, Third-Party Rulemaking, River Valley Regional Water District; Docket No. 06-003-R.

**a. Amendment Proposed By:** River Valley Regional Water District ("RVRWD").

**b. Description:** RVRWD filed its request to initiate rulemaking on January 13, 2006. These amendments concern Regulation No. 2. Proposed changes involve amending Regulation No. 2 to include amending Section 2.304 to establish a procedure by which regional water districts and other public water authorities would be able to request approval from the Pollution Control & Ecology Commission to use a water body designated as extraordinary resource waters as a source of drinking water supply.

The Commission initiated the rulemaking process on January 27, 2006, and no final decision has been made.

**c. Justification:** These amendments establish a procedure by which regional water distribution districts and other public water authorities would be able to request approval from the Arkansas Pollution Control & Ecology Commission to use Extraordinary Resource Waters as a source of drinking water supply.

**d. Economic Impact:** RVRWD states that there will be no cost to the agency. The amendments will have no financial impact on small business.

**e. Environmental Benefit Analysis:** No environmental benefit analysis is required for this regulation.

**2. Regulation Number and Name:** Regulation No. 19, Regulations of the Arkansas Plan of Implementation for Air Pollution Control-Emergency Rulemaking; Docket No. 12-003-R.

**a. Amendment Proposed By:** Arkansas Department of Environmental Quality.

**b. Description:** ADEQ filed its request to initiate rulemaking on June 7, 2012. ADEQ proposes to modify this regulation in response to the United States Environmental Protection Agency's ("EPA") "Deferral for CO2 Emissions from Bioenergy and Other Biogenic Sources under the Prevention of Significant Deterioration and Title V Programs, Final Rule". This Final rule defers the application of the PSD and Title V permitting requirements to biogenic carbon dioxide ("CO2") emissions from bioenergy and other biogenic stationary sources until July 21, 2014. The amendments to Regulation No. 19 include the deferral for CO2 emissions from bioenergy and other biogenic sources under the PSD Program in the definition of CO2 equivalent emissions".

The Commission adopted the minute order initiating the rulemaking process on June 22, 2012, and no final decision has been made.

**c. Justification:** Failure to implement these revisions would have adverse impacts on the general welfare of the state and requires adoption of an emergency rule by the ADEQ. The implementation of this emergency rule for biogenic CO2 emission deferral will keep entities from having to comply with permitting requirements which are otherwise more stringent than federal requirements, and could prevent them from being subject to more costly PSD permit fees and compliance as a result of biogenic CO2 emissions that will be deferred with this rule.

**d. Economic Impact:** This rulemaking adopts a federal requirement and there will be no impact to the environment in Arkansas that would not have otherwise occurred.

**e. Environmental Benefit Analysis:** No Environmental Benefit Analysis is required.

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**3. Regulation Number and Name:** Regulation No. 26, Regulations of the Arkansas Operating Air Permit Program-Emergency Rulemaking; Docket No. 12-004-R.

**a. Amendment Proposed By:** Arkansas Department of Environmental Quality.

**b. Description:** ADEQ filed its request to initiate rulemaking on June 7, 2012. ADEQ proposes to modify this regulation in response to the United States Environmental Protection Agency's ("EPA") "Deferral for CO2 Emissions from Bioenergy and Other Biogenic Sources under the Prevention of Significant Deterioration and Title V Programs, Final Rule". This Final rule defers the application of the PSD and Title V permitting requirements to biogenic carbon dioxide ("CO2") emissions from bioenergy and other biogenic stationary sources until July 21, 2014. The amendments to Regulation No. 26 include the deferral for CO2 emissions from bioenergy and other biogenic sources under the PSD Program in the definition of CO2 equivalent emissions".

The Commission adopted the minute order initiating the rulemaking process on June 22, 2012, and no final decision has been made.

**c. Justification:** Failure to implement these revisions would have adverse impacts on the general welfare of the state and requires adoption of an emergency rule by the ADEQ. The implementation of this emergency rule for biogenic CO2 emission deferral will keep entities from having to comply with permitting requirements which are otherwise more stringent than federal requirements, and could prevent them from being subject to more costly PSD permit fees and compliance as a result of biogenic CO2 emissions that will be deferred with this rule.

**d. Economic Impact:** This rulemaking adopts a federal requirement and there will be no impact to the environment in Arkansas that would not have otherwise occurred.

**e. Environmental Benefit Analysis:** No Environmental Benefit Analysis is required.

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**4. Regulation Number and Name:** Regulation No. 19, Regulations of the Arkansas Plan of Implementation for Air Pollution Control; Docket No. 12-005-R.

**a. Amendment Proposed By:** Arkansas Department of Environmental Quality.

**b. Description:** ADEQ filed its request to initiate rulemaking on June 7, 2012. ADEQ proposes to modify this regulation in response to the United States Environmental Protection Agency's ("EPA") "Deferral for CO2 Emissions from Bioenergy and Other Biogenic Sources under the Prevention of Significant Deterioration and Title V Programs, Final Rule". This Final rule defers the application of the PSD and Title V permitting requirements to biogenic carbon dioxide ("CO2") emissions from bioenergy and other biogenic stationary sources until July 21, 2014. The amendments to Regulation No. 19 include the deferral for CO2 emissions from bioenergy and other biogenic sources under the PSD Program in the definition of CO2 equivalent emissions". It is also proposed that the greenhouse gases "stay" provision is moved, without revision to clarify the applicability of the clause.

The Commission adopted the minute order initiating the rulemaking process on June 22, 2012, and adopted the amendments on October 26, 2012.

**c. Justification:** Making the proposed amendments will maintain consistency between federal air pollution control programs and the Commission's regulations governing air pollution in Arkansas and it will maintain compliance with the federal deferral of permitting requirements for biogenic CO2 emissions.

**d. Economic Impact:** This rulemaking adopts a federal requirement and there will be no impact to the environment in Arkansas that would not have otherwise occurred.

**e. Environmental Benefit Analysis:** No Environmental Benefit Analysis is required.

**5. Regulation Number and Name:** Regulation No. 26, Regulations of the Arkansas Operating Air Permit Program; Docket No. 12-006-R.

**a. Amendment Proposed By:** Arkansas Department of Environmental Quality.

**b. Description:** ADEQ filed its request to initiate rulemaking on June 7, 2012. ADEQ proposes to modify this regulation in response to the United States Environmental Protection Agency's ("EPA") "Deferral for CO2 Emissions from Bioenergy and Other Biogenic Sources under the Prevention of Significant Deterioration and Title V Programs, Final Rule". This Final rule defers the application of the PSD and Title V permitting requirements to biogenic carbon dioxide ("CO2") emissions from bioenergy and other biogenic stationary sources until July 21, 2014. The amendments to Regulation No. 26 include the deferral for CO2 emissions from bioenergy and other biogenic sources under the Title V Program in the definition of CO2 equivalent emissions".

The Commission adopted the minute order initiating the rulemaking process on June 22, 2012, and adopted the amendments on October 26, 2012.

**c. Justification:** Making the proposed amendments will maintain consistency between federal air pollution control programs and the Commission's regulations governing air pollution in Arkansas and it will maintain compliance with the federal deferral of permitting requirements for biogenic CO2 emissions.

**d. Economic Impact:** This rulemaking adopts a federal requirement and there will be no impact to the environment in Arkansas that would not have otherwise occurred.

**e. Environmental Benefit Analysis:** No Environmental Benefit Analysis is required.

**6. Regulation Number and Name:** Regulation No. 11, Regulations of the Arkansas Operating Air Permit Program; Docket No. 12-007-R.

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**a. Amendment Proposed By:** Arkansas Department of Environmental Quality.

**b. Description:** ADEQ filed its request to initiate rulemaking on July 11, 2012. The proposed amendment incorporates statutory changes passed by the General Assembly that amend various provisions of the Solid Waste Management and Recycling Fund Act, particularly Act 602 and Act 819 of 2011, Act 189 of 2009, and Act 1325 of 2005; establishes regulations for the Computer and Electronic Equipment Recycling and Grant Program; clarifies provisions of the Landfill Post-closure Trust fund; clarifies the recycling grant program timelines and obligations, and makes minor stylistic revisions.

The Commission adopted the minute order initiating the rulemaking process on June 22, 2012, and no final decision has been made.

**c. Justification:** The rule is mostly administrative, however it is expected to provide indirect long-term positive effects on the environment and minimizing waste placed in landfills is crucial through the recycling program and providing mechanisms for proper landfill maintenance is crucial to the environment and human health.

**d. Economic Impact:** This rulemaking adopts a federal requirement and there will be no impact to the environment in Arkansas that would not have otherwise occurred.

**e. Environmental Benefit Analysis:** No Environmental Benefit Analysis is required.

**7. Regulation Number and Name:** Regulation No. 6, Regulation for the State Administration of the National Pollutant Discharge Elimination System (NPDES); Docket No. 12-008-R.

**a. Amendment Proposed By:** Arkansas Department of Environmental Quality.

**b. Description:** ADEQ filed its request to initiate rulemaking on August 10, 2012. ADEQ proposes to add several defined terms to Reg.6.103. The new definitions are necessary to

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understand the requirements found in Reg.6.206 for discharges of pesticides into waters of the State; add Reg.6.206 to provide a permit-by-rule for entities discharging pesticides into waters of the State; delete Reg.6.204(B); and proposes several minor changes to bring the regulation into compliance with the Commission's Regulation Drafting Guidelines.

The Commission adopted the minute order initiating the rulemaking process on August 24, 2012, and no final decision has been made.

**c. Justification:** the regulation must comply with the federal Clean Water Act, 33 U.S.C. 1251 et seq. and regulations promulgated thereunder.

**d. Economic Impact:** This rulemaking adopts a federal requirement and there will be no impact to the environment in Arkansas that would not have otherwise occurred.

**e. Environmental Benefit Analysis:** No Environmental Benefit Analysis is required.

**8. Regulation Number and Name:** Regulation No. 18, Arkansas Air Pollution Control Code; Docket No. 12-009-R.

**a. Amendment Proposed By:** Arkansas Department of Environmental Quality.

**b. Description:** ADEQ filed its request to initiate rulemaking on September 14, 2012. ADEQ proposes revisions to Regulation No. 18 in order to implement the United States Environmental Protection Agency's current National Ambient Air Quality Standards ("NAAQS") for PM2.5, PM10, ozone, lead, carbon monoxide, nitrogen dioxide, and sulfur dioxide.

The Commission adopted the minute order initiating the rulemaking process on September 28, 2012, and no final decision has been made.

**c. Justification:** This proposed rule is necessary to ensure that the Arkansas regulation is not in conflict with federal rules that have been adopted. Also, by revising Regulation No. 18, ADEQ will be able to issue permits for fine particulate

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matter. Because the National Ambient Air Quality Standard for particulate matter is a health-based standard, this rule change will allow ADEQ to protect human health and the environment from detrimental effects of fine particulate matter.

**d. Economic Impact:** This rulemaking adopts a federal requirement and there will be no impact to the environment in Arkansas that would not have otherwise occurred.

**e. Environmental Benefit Analysis:** No Environmental Benefit Analysis is required.

**9. Regulation Number and Name:** Regulation No. 19, Regulation of the Arkansas Plan of Implementation for Air Pollution Control; Docket No. 12-010-R.

**a. Amendment Proposed By:** Arkansas Department of Environmental Quality.

**b. Description:** ADEQ filed its request to initiate rulemaking on September 14, 2012. ADEQ is proposing revisions to Regulation No. 19 in order to implement the Environmental Protection Agency's National Ambient Air Quality Standards ("NAAQS") for PM2.5, PM10, ozone, lead, nitrogen dioxide, and sulfur dioxide. Other proposed changes include revising the definition of "Volatile Organic Compounds" under Chapter 2, including exemptions for propylene carbonate, dimethyl carbonate, and trans-1,3,3,3-tetrafluoropropane (HFO-1234ze) to more closely match the federal definition; removing the reference to 40 C.F.R. Part 50 under Reg.19.301; and revising the definition of "Regulated NSR Pollutant" under Reg.19.903(B), as opposed to incorporating it by reference.

The Commission adopted the minute order initiating the rulemaking process on September 28, 2012, and no final decision has been made.

**c. Justification:** This proposed rule is necessary to bring Arkansas into compliance with federal rule changes made as the NAAQS have been revised by the EPA. The goal is for sources to find it less difficult to understand permitting requirements. Because the primary NAAQS are health-based standards and secondary NAAQS standards are set to protect public welfare,

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this rule change will allow ADEQ to protect human health and the environment from detrimental effects caused by NAAQS pollutants. The rule will also satisfy the State's requirements under the Clean Air Act to prevent significant deterioration of air quality in areas of the state designated as "attainment" or "unclassifiable" for each NAAQS.

**d. Economic Impact:** This rulemaking adopts a federal requirement and there will be no impact to the environment in Arkansas that would not have otherwise occurred.

**e. Environmental Benefit Analysis:** No Environmental Benefit Analysis is required.

**10. Regulation Number and Name:** Regulation No. 26, Regulations of the Arkansas Operating Air Permit Program; Docket No. 12-011-R.

**a. Amendment Proposed By:** Arkansas Department of Environmental Quality.

**b. Description:** ADEQ filed its request to initiate rulemaking on September 14, 2012. ADEQ proposes to modify this regulation by adding "10 tons per year of PM2.5", a minor permit modification threshold for fine particulate matter (PM2.5), under Reg.26.1002(A).

The Commission adopted the minute order initiating the rulemaking process on September 28, 2012, and no final decision has been made.

**c. Justification:** Making the proposed amendments will establish a minor permit modification threshold for fine particulate matter (PM2.5) in Regulation No. 26; will lower the potential cost impacts for those facilities increasing PM2.5 emission by small amounts; and will allow changes to a facility to be implemented more quickly. All other changes to Regulation No. 26 were made as updates, for clarification, and to correct errors.

**d. Economic Impact:** This rulemaking adopts a federal requirement and there will be no impact to the environment in Arkansas that would not have otherwise occurred.

**e. Environmental Benefit Analysis:** No Environmental Benefit Analysis is required.

**11. Regulation Number and Name:** Regulation No. 25, Lead-Based Paint Activities; Docket No. 12-012-R.

**a. Amendment Proposed By:** Arkansas Department of Environmental Quality.

**b. Description:** ADEQ filed its request to initiate rulemaking on September 14, 2012. The 2011 Act transferred authority to adopt, administer, and enforce a program for licensing lead-based paint activities, training programs, procedures, and certification requirements from ADEQ to the Arkansas Department of Health.

The Commission adopted the minute order initiating the rulemaking process on September 28, 2012, and no final decision has been made.

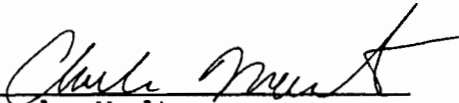
**c. Justification:** The Arkansas Lead-Based Paint-Hazard Act of 2011 renders Regulation No. 25 unenforceable, and removes all authority from ADEQ to oversee activities in Arkansas that are related to lead-based paint.

**d. Economic Impact:** This rulemaking adopts a federal requirement and there will be no impact to the environment in Arkansas that would not have otherwise occurred.

**e. Environmental Benefit Analysis:** No Environmental Benefit Analysis is required.

1/4/13

Date

  
Charles Moulton  
Administrative Hearing Officer  
Arkansas Pollution Control and  
Ecology Commission

# ADEQ REVENUE FROM AIR, WATER & SOLID WASTE PERMIT FEES

Figures generated from ADEQ Permit Data System. Date range = 10-01-2012 to 12-31-12

Division	Fee Code	Description	Annual	Initial	Late Fee	Modification	Renewal	Short-Term Authority	Total
AIR									
	G	General Operating Permit	\$ 18,800 94	\$ 3,400 17					\$ 22,200 111
	L5	Late Charge (Air T5)	\$ 1,835 1						\$ 1,835 1
	LC	Late Charge (Air LC)	\$ 704 7						\$ 704 7
	MS	Minor Source (Air MS)	\$ 248,974 187	\$ 7,571 3		\$ 9,757 22			\$ 266,302 212
	MVRF	Motor Vehicle Racing Facility				200 1			\$ 200 1
	R3	Air Reg 18.315	1,800 9						\$ 1,800 9
	T5	Title 5 (Air T5)	\$ 4,133,362 91	\$ 6,275 2		27011 18			\$ 4,166,648 111
<b>AIR TOTAL</b>		<b>Total</b>	<b>\$ 4,405,475</b> <b>\$ 389</b>	<b>\$ 17,246</b> <b>\$ 22</b>	<b>\$ -</b> <b>\$ -</b>	<b>\$ 36,968</b> <b>\$ 41</b>	<b>\$ -</b> <b>\$ -</b>	<b>\$ -</b> <b>\$ -</b>	<b>\$ 4,459,689</b> <b>\$ 452</b>
<b>SOLID WASTE</b>									
	1	Class I Landfill	\$ 90,000 15						\$ 90,000 15
	3C	Class III commercial (SW 3C)	\$ 5,000 1						\$ 5,000 1
	3N	Class III Non-commercial	\$ 39,500 14	\$ 1,000 1					\$ 40,500 15
	3T	Class III Tire Monofill (SW 3T)	\$ 3,000 1						\$ 3,000 1



4	Class IV Landfill	\$ 6,500 13					\$ 6,500 13
CD/RF	Construction & Demolition Waste Recovery (Solid Waste CDRF)						\$ - 0
CL	Closed Facility (Solid Waste CL)	\$ 500 1					\$ 500 1
CO	Composting Organic Waste (Solid Waste CO)						\$ - 0
CY	Composting Yard Waste (Solid Waste CY)	\$ 4,500 10					\$ 4,500 10
LC	Late Charge (Solid Waste LC)	\$ 1,555 7					\$ 1,555 7
P	Postclosure Fee (Solid Waste P)	\$ 1,500 3					\$ 1,500 3
TS	Transfer Station or MRF	\$ 9,450 21	\$ 900 1				\$ 10,350 22
WR	Solid Waste Recovery						\$ - 0
<b>SOLID WASTE TOTAL</b>	<b>Total</b>	<b>161,505 86</b>	<b>1,900 2</b>	<b>0 0</b>	<b>0 0</b>	<b>0 0</b>	<b>163,405 88</b>
<b>WATER - NPDES</b>							
N-A	NPDES Agricultural (Minor With Toxic)	\$ 107,266 16			\$ 2,000 1		\$ 109,266 17
N-B	NPDES Saltwater (Minor Without Toxic)	\$ 205,794 154	\$ 6,697 4		\$ 2,000 1		\$ 214,491 159
N-C	NPDES Cooling Water	\$ 30,908 6					\$ 30,908 6
N-G	NPDES Coal Mining (converted)						\$ - 0
N-G2	NPDES Coal Mining						\$ - 0

N-G3	NPDES Sanitary Landfill Run-off	\$ 6,800 17					\$ 6,800 17
N-G5	NPDES Bulk Petroleum Storage						\$ - 0
N-G6	NPDES Individual Home Treatment	\$ 3,200 16	\$ 200 1				\$ 3,400 17
N-G7	NPDES Water Plant Backwash Effluent	\$ 14,000 35	\$ 800 2				\$ 14,800 37
N-G8	NPDES Pipeline Hydrostatic Test	\$ 867 5	\$ 2,200 11				\$ 3,067 16
N-G9	NPDES Car/truck Wash Facility	\$ 800 4					\$ 800 4
N-GA	Ground Water Clean-Up (Water- NPDES GA)	\$ 1,500 3	\$ 500 1				\$ 2,000 4
N-GB	Laundromat (Water-NPDES GB)						\$ - 0
N-GC	Sand and Gravel (Water-NPDES GC)	\$ 2,400 12					\$ 2,400 12
N-GD	Concentrated Animal Feedlot Operation (Water-NPDES GD)						\$ - 0
N-GE	Cooling Towers; Tower & Boiler Blowdown (Water-NPDES GE)	\$ 1,000 5	200 1				\$ 1,200 6
N-GF	Pesticides (Water-NPDES)	\$ 200 2	\$ 600 3				\$ 800 5
N-J	NPDES Major Non-municipal, MRAT >= 100	\$ 255,000 17					\$ 255,000 17
N-K	NPDES Major Non-municipal, MRAT 80-100	\$ 44,000 4					\$ 44,000 4
N-L	NPDES Discretionary Major						\$ - 0

	LC	Late Charge(Water-NPDES LC)	\$ 2,656 27					\$ 2,656 27
	LS	Late Charge (Storm Water)	\$ 1,380 53					\$ 1,380 53
	N-M	NPDES Major Municipal	\$ 249,440 28					\$ 249,440 28
	NO-EX	No-Exposure Certification (Water-NPDES)	\$ 18,967 96	\$ 1,600 8				\$ 20,567 104
	N-O	NPDES Minor Aquatic Animal Prod						\$ - 0
	N-P	NPDES Minor Variable Discharge	\$ 9,900 33	\$ 8,524 5				\$ 18,424 38
	N-Q	NPDES Construction Permit		\$ 7,000 14				\$ 7,000 14
	N-R1	NPDES Stormwater Manufacturing	\$ 115,301 581	\$ 7,200 36				\$ 122,501 617
	N-R2	NPDES Stormwater Construction	\$ 25,917 130	\$ 12,800 64				\$ 38,717 194
	R4	NPDES Stormwater: MSF Phase II	\$ 400 2					400 2 0
<b>WATER NPDES</b>		<b>Total</b>	<b>1,097,696 1,246</b>	<b>48,321 150</b>	<b>0 0</b>	<b>4,000 2</b>	<b>0 0</b>	<b>1,150,017 1,398</b>
<b>STATE WATER PERMITS</b>	ST	Short-Term Authorization						\$ - 0
	S-D	Confined Animal or Small Sep	\$ 16,700 84	\$ 600 3				\$ 17,300 87
	S-E	State Permits Branch Commercial or Industrial	\$ 29,167 60	\$ 7,000 14		\$ 500 1		\$ 36,667 75
	S-F	Industrial Sludge App						\$ - 0

	S-G1	State Permits Branch Confined Animal Feedlot							\$ - 0
	GP	Oil & Gas Pits							\$ - 0
	S-H	Salt Water Disposal (SPB H)	\$ 31,500 126	\$ 1,250 5		\$ 750 3			\$ 33,500 134
	GLA	Oil & Gas Land Application							\$ - 0
	S-I	POTW Non-NPDES Land App	\$ 500 1						\$ 500 1
	LC	Late Charge(Water-SPB LC)	\$ 650 32						\$ 650 32
	Z	Interim Authority (Water-SPB Z)							\$ - 0
	ST	Short-Term Authorization (Water-SPB ST)					\$ 28,400 96	\$ 28,400 96	
<b>WATER - STATE PERMIT TOTALS</b>		<b>Total</b>	\$ 78,517 303	\$ 8,850 22	\$ - -	\$ 1,250 4	\$ - -	\$ 28,400 96	\$ 117,017 425
	U-1	State Permits Branch UIC - Class I	\$ 60,000 4						\$ 60,000 4
	Z	Interim Authority							\$ - 0
<b>UIC TOTALS</b>		<b>Total</b>	\$ 60,000 4	\$ - 0	\$ - 0	\$ - 0	\$ - 0	\$ - 0	\$ 60,000 4
<b>TOTAL</b>		<b>Total</b>	\$ 5,803,193 2,028	\$ 76,317 196	\$ - 0	\$ 42,218 47	\$ - 0	\$ 28,400 96	\$ 5,950,128 2,367

# ADEQ REVENUE FROM PERMIT FEES AND LICENSES

All figures generated 01-02-13, based on active invoices. Date range = 10-01-2012 to 12-31-2012

Invoice Identifier	Fee Code	Description	Fund	Collections
RST - Tank Installer Licenses	RST	Tank installer licenses	SRS0000	\$ 7,825.00
TKS - Storage Tank Fees	TKS	Storage Tank Fees		\$ 22,195.00
UST - Exam Fees	UST	Underground Storage Tank Exam Fees		\$ 7,000.00
ASB - Asbestos Licenses	ASB	Asbestos Licenses	SAC0000	\$ 13,660.00
LED - Individual Licenses - Lead	LED	Individual Licenses	MPL0000	\$ -
CCL - Contractors Licenses - Lead	CCL	Contractors Licenses	MPL0000	\$ -
			SAC0000	\$ 41,700.00
HWD - HW Permits	HWD	Hazardous Waste Permits	SHW0000	\$ 239,536.24
			MEE0000	\$ 75.00
			THS0000	\$ 675.00
TRF - Transfer Facilities	TRF	Transfer Facilities	SHW0000	\$ -
HWL - HW Licenses	HWL	HW Licenses		\$ -
SFF - Superfund	HWD	Superfund permit fees	THS0000	\$ -
			MEE0000	\$ -
LAB - Lab Certification Fees	LAB	Lab Certification Fees	HMA0100	\$ 15,760.00
MPS - Mining Fees	MPS	Non-coal mining permit Fees	HMA0100	\$ 22,382.50
		Coal Mining Permit Fees	MAF0000	\$ 600.00
		Quarry Permit Fees	TLR0000	\$ 1,250.00
MBL - Mining Fees	MBL	Blaster Permits	MAF0000	
DCO - Dump Control Officers	DCO	Dump Control Officer Licenses	TPE0000	\$ -
SWL - Sanitary Landfill Operators	SWL	Sanitary Landfill Operator Licenses		\$ 4,325.00
TTL - Waste Tire Licenses	TTL	Waste Tire Licenses		\$ 105.00
TPF - Waste Tire Facilities	TPF	Waste Tire Facilities		\$ 100.00
MER - Mercury Switches	MER	Mercury Switches	TWS0100	\$ 1,106.00
SWF - Municipal Landfills	SWF	Municipal Landfill Fees	TWS0100	\$ 303,593.68
			TWS0200	\$ 910,781.23
			TWS0300	\$ 770,020.54
ILF - Industrial Landfills	ILF	Industrial Landfill Fees	TWS0100	\$ 4,055.73
			TWS0200	\$ 11,953.72
			SMB0000	\$ 5,336.46
WWL - Wastewater Licenses	WWL	Waste Water Operator Licenses	MWW0000	\$ 4,700.00
Total				\$ 2,388,736.10

# ADEQ REVENUE FROM AIR, WATER & SOLID WASTE PERMIT FEES

Figures generated from ADEQ Permit Data System. Date range = 01/01/2011 to 12/31/2011 and 01/01/2012 to 12/31/2012

Division	Fee Code	Description	2011	2012	Difference	% Difference
<b>AIR</b>						
	G	General Operating Permit	\$ 81,850.00 410	\$ 93,000.00 465	\$ 11,150.00 55	13.62% 13.41%
	L5	Late Charge (Air T5)	\$ 4,425.00 7	\$ 4,842.00 5	\$ 417.00 (2)	9.42% -28.57%
	LC	Late Charge (Air LC)	\$ 4,482.00 41	\$ 4,761.00 48	\$ 279.00 7	6.22% 17.07%
	MS	Minor Source (Air MS)	\$ 677,897.00 558	\$ 708,247.00 563	\$ 30,350.00 5	4.48% 0.90%
	MV RF	Motor Vehicle Racing Facility (Air MVRF)	\$ 600.00 3	\$ 200.00 1	\$ (400.00) (2)	-66.67% -66.67%
	R3	Air Reg 18.315	\$ 4,400.00 22	\$ 4,800.00 24	\$ 400.00 2	9.09% 9.09%
	T5	Title 5 (Air T5)	\$ 6,677,733.00 280	\$ 6,821,097.00 270	\$ 143,364.00 (10)	2.15% -3.57%
<b>AIR TOTAL</b>		<b>Total</b>	<b>\$ 7,451,387.00</b> <b>1,321</b>	<b>\$ 7,636,947.00</b> <b>1,376</b>	<b>\$ 185,560.00</b> <b>55</b>	<b>2.49%</b> <b>4.16%</b>
<b>SOLID WASTE</b>						
	1	Class I Landfill	\$ 173,000.00 35	\$ 169,000.00 31	\$ (4,000.00) (4)	-2.31% -11.43%
	3C	Class III commercial (SW 3C)	\$ - -	\$ 12,000.00 3	\$ 12,000.00 3	#DIV/0! #DIV/0!
	3N	Class III Non-commercial	\$ 71,000.00 24	\$ 70,500.00 26	\$ (500.00) 2	-0.70% 8.33%

3T	Class III Tire Monofill (SW 3T)	\$ 3,000.00 1	\$ 9,000.00 3	\$ 6,000.00 2	200.00% 200.00%
4	Class IV Landfill	\$ 17,500.00 34	\$ 21,000.00 39	\$ 3,500.00 5	20.00% 14.71%
CD/RF	Construction & Demolition Waste Recovery (Solid Waste CDRF)	\$ - -	\$ - -	\$ - -	#DIV/0! #DIV/0!
CL	Closed Facility (Solid Waste CL)	\$ 3,000.00 6	\$ 3,500.00 7	\$ 500.00 1	16.67% 16.67%
CO	Composting Organic Waste (Solid Waste CO)	\$ 3,150.00 6	\$ 1,800.00 4	\$ (1,350.00) (2)	-42.86% -33.33%
CY	Composting Yard Waste (Solid Waste CY)	\$ 8,550.00 19	\$ 11,250.00 24	\$ 2,700.00 5	31.58% 26.32%
LC	Late Charge (Solid Waste LC)	\$ 880.00 8	\$ 1,835.00 13	\$ 955.00 5	108.52% 62.50%
P	Postclosure Fee (Solid Waste P)	\$ 5,000.00 10	\$ 3,000.00 6	\$ (2,000.00) (4)	-40.00% -40.00%
TS	Transfer Station or MRF	\$ 39,150.00 87	\$ 40,950.00 88	\$ 1,800.00 1	4.60% 1.15%
WR	Solid Waste Recovery	\$ 2,700.00 6	\$ 3,200.00 7	\$ 500.00 1	18.52% 16.67%
<b>SOLID WASTE TOTAL</b>	<b>Total</b>	<b>\$ 326,930.00</b> <b>236</b>	<b>\$ 347,035.00</b> <b>251</b>	<b>\$ 20,105.00</b> <b>15</b>	<b>6.15%</b> <b>6.36%</b>
<b>WATER - NPDES</b>					
N-A	NPDES Agricultural (Minor With Toxic)	\$ 170,916.00 29	\$ 213,663.00 30	\$ 42,747.00 1	25.01% 3.45%
N-B	NPDES Saltwater (Minor Without Toxic)	\$ 761,711.00 579	\$ 715,525.00 580	\$ (46,186.00) 1	-6.06% 0.17%
N-C	NPDES Cooling Water	\$ 32,592.00 9	\$ 32,592.00 9	\$ - -	0.00% 0.00%

N-G	NPDES Coal Mining (converted)	\$ 0.00 0	\$ - -	\$ (0.00) (0)	-100.00% -100.00%
N-G2	NPDES Coal Mining	\$ - -	\$ - -	\$ - -	#DIV/0! #DIV/0!
N-G3	NPDES Sanitary Landfill Run-off	\$ 11,800.00 32	\$ 14,967.00 38	\$ 3,167.00 6	26.84% 18.75%
N-G5	NPDES Bulk Petroleum Storage	\$ - -	\$ - -	\$ - -	#DIV/0! #DIV/0!
N-G6	NPDES Individual Home Treatment	\$ 7,767.00 39	\$ 8,683.00 44	\$ 916.00 5	11.79% 12.82%
N-G7	NPDES Water Plant Backwash Filter	\$ 38,800.00 97	\$ 57,200.00 143	\$ 18,400.00 46	47.42% 47.42%
N-G8	NPDES Pipeline Hydrostatic Test	\$ 10,767.00 54	\$ 13,334.00 68	\$ 2,567.00 14	23.84% 25.93%
N-G9	NPDES Car/truck Wash Facility	\$ 2,800.00 14	\$ 3,066.00 16	\$ 266.00 2	9.50% 14.29%
N-GA	Ground Water Clean-Up (Water-NPDES GA)	\$ 6,200.00 13	\$ 6,500.00 13	\$ 300.00 -	4.84% 0.00%
N-GB	Laundromat (Water-NPDES GB)	\$ 0.00 0	\$ - -	\$ (0.00) (0)	-100.00% -100.00%
N-GC	Sand and Gravel (Water-NPDES GC)	\$ 8,251.00 44	\$ 8,967.00 46	\$ 716.00 2	8.68% 4.55%
N-GD	Concentrated Animal Feedlot Operation (Water-NPDES GD)	- -	200 1	\$ 200.00 1	#DIV/0! #DIV/0!
N-GE	Cooling Towers; Tower & Boiler Blowdown (Water-NPDES GE)	\$ 1,767.00 9	\$ 2,400.00 12	\$ 633.00 3	35.82% 33.33%
N-GF	Pesticides (Water-NPDES)	- -	16,600 84		
N-J	NPDES Major Non-municipal, MRAT >= 100	\$ 420,000.00 27	\$ 435,200.00 30	\$ 15,200.00 3	3.62% 11.11%



N-K	NPDES Major Non-municipal, MRAT 80-100	\$ 88,000.00 8	\$ 82,000.00 8	\$ (6,000.00) -	-6.82% 0.00%
N-L	NPDES Discretionary Major	\$ - -	\$ 11,000.00 1	\$ 11,000.00 1	#DIV/0! #DIV/0!
LC	Late Charge(Water-NPDES LC)	\$ 6,511.00 62	\$ 6,330.00 81	\$ (181.00) 19	-2.78% 30.65%
LS	Late Charge (Storm Water)	\$ 3,823.00 192	\$ 5,689.00 265	\$ 1,866.00 73	48.81% 38.02%
N-M	NPDES Major Municipal	\$ 663,697.00 78	\$ 653,680.00 77	\$ (10,017.00) (1)	-1.51% -1.28%
NO-EX	No-Exposure Certification (Water-NPDES	\$ 52,850.00 267	\$ 64,899.00 332	\$ 12,049.00 65	22.80% 24.34%
N-O	NPDES Minor Aquatic Animal Prod	\$ 7,500.00 3	\$ 7,500.00 3	\$ - -	0.00% 0.00%
N-P	NPDES Minor Variable Discharge	\$ 25,400.00 84	\$ 32,724.00 87	\$ 7,324.00 3	28.83% 3.57%
N-Q	NPDES Construction Permit	\$ 16,700.00 37	\$ 22,500.00 45	\$ 5,800.00 8	34.73% 21.62%
N-R1	NPDES Stormwater Manufacturing	\$ 288,069.00 1,470	\$ 309,904.00 1,565	\$ 21,835.00 95	7.58% 6.46%
N-R2	NPDES Stormwater Construction	\$ 190,452.00 958	\$ 178,268.00 895	\$ (12,184.00) (63)	-6.40% -6.58%
R4	NPDES Stormwater: MSF Phase II	\$ 9,000.00 45	\$ 9,000.00 45	\$ - -	0.00% 0.00%
<b>WATER NPDES TOTAL</b>	<b>Total</b>	<b>\$ 2,825,373.00 4,150</b>	<b>\$ 2,912,391 4,518</b>	<b>\$ 87,018.00 368</b>	<b>3.08% 8.87%</b>
<b>STATE WATER PERMITS</b>	ST	\$ 0.00 0	\$ - -	\$ (0.00) (0)	-100.00% -100.00%
	S-D	\$ 63,800.00 319	\$ 69,200.00 345	\$ 5,400.00 26	8.46% 8.15%

S-E	State Permits Branch Commercial or Industrial	\$ 127,619.00 259	\$ 128,700.00 260	\$ 1,081.00 1	0.85% 0.39%
S-F	Industrial Sludge App	\$ 500.00 1	\$ 500.00 1	\$ - -	0.00% 0.00%
S-G1	State Permits Branch Confined Animal Feedlot	\$ 1,000.00 2	\$ - -	\$ (1,000.00) (2)	-100.00% -100.00%
GP	Oil & Gas Pits	\$ 108,900.00 363	\$ - -	\$ (108,900.00) (363)	-100.00% -100.00%
S-H	Salt Water Disposal (SPB H)	\$ 117,550.00 470	\$ 114,500.00 458	\$ (3,050.00) (12)	-2.59% -2.55%
GLA	Oil & Gas Land Application	\$ - -	\$ - -	\$ - -	#DIV/0! #DIV/0!
S-I	POTW Non-NPDES Land App	\$ 2,000.00 4	\$ 2,500.00 5	\$ 500.00 1	25.00% 25.00%
LC	Late Charge(Water-SPB LC)	\$ 2,219.00 83	\$ 4,105.00 133	\$ 1,886.00 50	84.99% 60.24%
Z	Interim Authority (Water-SPB Z)	\$ 0.00 0	\$ - -	\$ (0.00) (0)	-100.00% -100.00%
ST	Short-Term Authorization (Water-SPB ST)	\$ 150,600.00 311	\$ 120,600.00 384	\$ (30,000.00) 73	-19.92% 23.47%
<b>WATER - STATE PERMIT TOTALS</b>	<b>Total</b>	<b>\$ 574,188.00 1,812</b>	<b>\$ 440,105.00 1,586</b>	<b>\$ (134,083.00) (226)</b>	<b>-23.35% -12.47%</b>
U-1	State Permits Branch UIC - Class I	\$ 105,000.00 7	\$ 135,000.00 9	\$ 30,000.00 2	28.57% 28.57%
Z	Interim Authority	\$ 0.00 0	\$ - -	\$ (0.00) (0)	-100.00% -100.00%
<b>UIC TOTALS</b>	<b>Total</b>	<b>\$ 105,000.00 7</b>	<b>\$ 135,000.00 9</b>	<b>\$ 30,000.00 2</b>	<b>28.57% 28.57%</b>
<b>TOTAL</b>	<b>Total</b>	<b>\$ 11,282,878.00 7,526</b>	<b>\$ 11,471,478.00 7,740</b>	<b>\$ 188,600.00 214</b>	<b>1.67% 2.84%</b>

## ADEQ REVENUE FROM PERMIT FEES AND LICENSES

All figures generated 1/2/2013, based on active invoices. Date range = 1/2011 to 12/2011 and 1/2012 to 12/2012

Invoice Identifier	Fee Code	Description	Fund	2011 Collections	2012 Collections	DIFFERENCE	% DIFF
RST - Tank Installer Licenses	RST	Tank installer licenses	SRS0000	\$ 21,650.00	\$ 30,750.00	\$ 9,100.00	42.03%
TKS - Storage Tank Fees	TKS	Storage Tank Fees		\$ 935,851.01	\$ 928,480.02	\$ (7,370.99)	-0.79%
UST - Exam Fees	UST	Underground Storage Tank Exam Fees		\$ 31,150.00	\$ 72,325.00	\$ 41,175.00	132.18%
ASB - Asbestos Licenses	ASB	Asbestos Licenses	SAC0000	\$ 104,355.00	\$ 79,690.00	\$ (24,665.00)	-23.64%
LED - Individual Licenses - Lead	LED	Individual Licenses	MPL0000	\$ 3,550.00	\$ -	\$ (3,550.00)	-100.00%
CCL - Contractors Licenses - Lead	CCL	Contractors Licenses	MPL0000	\$ 10,500.00	\$ -	\$ (10,500.00)	-100.00%
			SAC0000	\$ 242,058.49	\$ 186,175.00	\$ (55,883.49)	-23.09%
HWD - HW Permits	HWD	Hazardous Waste Permits	SHW0000	\$ 1,050,228.96	\$ 962,993.04	\$ (87,235.92)	-8.31%
TRF - Transfer Facilities	TRF	Transfer Facilities		\$ 0.00	\$ -	\$ (0.00)	-100.00%
HWL - HW Licenses	HWL	HW Licenses		\$ 1,450.00	\$ 1,725.00	\$ 275.00	18.97%
SFF - Superfund	HWD	Superfund permit fees	THS0000	\$ 398,767.50	\$ 391,725.00	\$ (7,042.50)	-1.77%
			MEE0000	\$ 44,307.50	\$ 43,525.00	\$ (782.50)	-1.77%
LAB - Lab Certification Fees	LAB	Lab Certification Fees	HMA0100	\$ 69,420.00	\$ 73,250.00	\$ 3,830.00	5.52%
MPS - Mining Fees	MPS	Non-coal mining permit Fees	HMA0100	\$ 86,679.97	\$ 157,369.63	\$ 70,689.66	81.55%
		Coal Mining Permit Fees	MAF0000	\$ 500.00	\$ 1,200.00	\$ 700.00	140.00%
		Quarry Permit Fees	TLR0000	\$ 32,032.50	\$ 8,725.00	\$ (23,307.50)	-72.76%
MBL - Mining Fees	MBL	Blaster Permits	MAF0000	\$ 20.00	\$ 60.00	\$ 40.00	200.00%
DCO - Dump Control Officers	DCO	Dump Control Officer Licenses	TPE0000	\$ 555.00	\$ 1,075.00	\$ 520.00	93.69%
SWL - Sanitary Landfill Operators	SWL	Sanitary Landfill Operator Licenses		\$ 42,550.00	\$ 44,495.00	\$ 1,945.00	4.57%
TTL - Waste Tire Licenses	TTL	Waste Tire Licenses		\$ 6,285.00	\$ 6,085.00	\$ (200.00)	-3.18%
TPF - Waste Tire Facilities	TPF	Waste Tire Facilities		\$ 1,025.00	\$ 1,125.00	\$ 100.00	9.76%
MER - Mercury Switches	MER	Mercury Switches	TWS0100	\$ 8,750.00	\$ 5,606.00	\$ (3,144.00)	-35.93%
SWF - Municipal Landfills	SWF	Municipal Landfill Fees	TWS0100	\$ 1,250,438.49	\$ 1,243,694.07	\$ (6,744.42)	-0.54%
			TWS0200	\$ 3,751,315.50	\$ 3,731,082.70	\$ (20,232.80)	-0.54%
			TWS0300	\$ 3,159,122.12	\$ 3,187,675.72	\$ 28,553.60	0.90%
ILF - Industrial Landfills	ILF	Industrial Landfill Fees	TWS0100	\$ 20,541.98	\$ 17,724.23	\$ (2,817.75)	-13.72%
			TWS0200	\$ 60,544.76	\$ 52,239.79	\$ (8,304.97)	-13.72%
			SMB0000	\$ 27,028.91	\$ 23,321.29	\$ (3,707.62)	-13.72%
WWL - Wastewater Licenses	WWL	Waste Water Operator Licenses	MWW0000	\$ 175,728.00	\$ 26,950.00	\$ (148,778.00)	-84.66%
Total				\$ 11,536,405.69	\$ 11,279,066.49	\$ (257,339.20)	-2.23%

### Civil Penalty Assessments

	CY2011	CY2012	Difference	%Diff
<b>Grand Totals</b>	\$ 1,251,306.37	\$1,069,747.29	\$ (181,559.08)	-14.51%

<i>SEP only 2011</i>	<i>Ashely County Skilled Workcent</i>	\$ 7,533.75
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