

ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION



REGULATION NO. 30

ARKANSAS REMEDIAL ACTION TRUST FUND HAZARDOUS SUBSTANCES SITE PRIORITY LIST

**Approved by
the Pollution Control and Ecology Commission on
October 28, 2005**

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CHAPTER 1: GENERAL PROVISIONS

Reg.30.101 Authority

This regulation is promulgated pursuant to provisions of the Remedial Action Trust Fund Act of 1985 (Act 479 of 1985, as amended, A.C.A. § 8-7-509(e)(1).

Reg.30.102 Purpose

The Arkansas Remedial Action Trust Fund Hazardous Substances Site Priority List identifies those hazardous substance sites for which expenditures are authorized from the Hazardous Substances Remedial Action Trust Fund pursuant to the provisions of the Arkansas Code, Annotated, § 8-7-509(d)(2) and (d)(3). It is not a site inventory or historical list. Sites are numbered sequentially as they are added to the list, and a particular site's position on the list is not relative to its hazard ranking or degree of risk or potential risk.

Reg.30.103 Definitions

When used in connection with this regulation, terms shall have the meaning defined at Arkansas Code, Annotated, § 8-7-503, or as defined at APC&EC Regulation No. 23 § 260.10.

Reg.30.104 Severability

If any provision of this Regulation or the application thereof is held invalid, such invalidity shall not effect other provisions of this Regulation which can be given effect without the invalid provision or application and to this end the provisions of this Regulation are declared to be severable.

CHAPTER 2: NATIONAL PRIORITY LIST SITES

Reg.30.201 Description

Hazardous substance sites listed in this Chapter are those which pose a potential substantial endangerment to human health and/or the environment, and for which State funds have been approved to match or supplement Federal funding for remedial actions pursuant to CERCLA. Criteria for listing a particular site is governed by APC&EC Regulation No. 23, §§ 26(c), 26(d), 26(e), and 26(i).

Reg.30.202 National Priority List Sites

Site

- (A) Cecil Lindsey Landfill, Newport
- (B) Old Midland Products, Ola
- (C) Rogers Road Landfill, Jacksonville
- (D) Jacksonville/Graham Road Landfill,
Jacksonville
- (E) Gurley Oil Pits, Edmonson
- (F) Popile, El Dorado
- (G) Mountain Pine Pressure Treating, Plainview
- (H) Ouachita-Nevada Wood Treater, Reader

CHAPTER 3: STATE PRIORITY LIST SITES

Reg.30.301 Description

Hazardous substance sites listed in this Chapter are those which pose a potential substantial endangerment to human health and/or the environment, but which do not meet the criteria for listing on the National Priority List. These sites have been designated as eligible for State-funded investigation and necessary remedial actions on a case-by-case basis as determined by the Director. Criteria for listing a particular site is governed by APC&EC Regulation No. 23, §§ 26 (g), 26(h), and 26(i).

Reg.30.302 State Priority List Sites

(A) Investigation category

- | | <u>Site</u> |
|------|---|
| (1) | Benton Salvage, Benton |
| (2) | Utility Services, Inc., Pine Bluff |
| (3) | Jimelco, Little Rock |
| (4) | Rixey Iron & Metals Company, North Little Rock |
| (5) | Griffing Railway Repair, El Dorado |
| (6) | Leachville Metal Plating, Leachville |
| (7) | Mountain Pine Pressure Treating, Plainview |
| (8) | Plainview Lumber Company, Plainview |
| (9) | R&P Electroplating, Fayetteville |
| (10) | Baird Manufacturing, Inc., Clarendon |
| (11) | Amity Lacquer Paint and Chemical Manufacturing Company, Amity |
| (12) | Red River Aluminum, Stamps |
| (13) | Cedar Chemical Corporation, West Helena |
| (14) | Swift Chemical Company Farm Property, Rogers |
| (15) | Swift Chemical Company Arkansas Street Site, Rogers |
| (16) | Arkansas Waste-to-Energy Incinerator Site, Osceola |
| (17) | Arkansas Waste-to-Energy Warehouse Site, Osceola |
| (18) | Arkansas Waste-to-Energy/E.R. Moore Site, Osceola |
| (19) | United States Forgecraft, Fort Smith |
| (20) | Fashion Park Cleaners, Little Rock |
| (21) | I. Easter Property, Pine Bluff |

- (22) Tankersley/White Dairy, Fort Smith
- (23) Hadco, Gillham
- (24) Huntco/JMS, Hickman
- (25) I Can, Inc., Lonoke
- (26) Butler Elementary School, Madison
- (27) General Dynamics Corporation, East Camden

(B) Remediation Category

Site

- (1) Vertac Chemical Corporation, Jacksonville
- (2) Benton Salvage, Benton
- (3) Garland County Industrial Landfill, Hot Springs
- (4) Utility Services, Inc., Pine Bluff
- (5) Jimelco, Little Rock
- (6) Rixey Iron & Metals Company, North Little Rock
- (7) Griffing Railway Repair, El Dorado
- (8) Leachville Metal Plating, Leachville
- (9) Mountain Pine Pressure Treating, Plainview
- (10) Plainview Lumber Company, Plainview
- (11) R&P Electroplating, Fayetteville
- (12) Baird Manufacturing, Inc., Clarendon
- (13) Amity Lacquer Paint and Chemical Manufacturing Company, Amity
- (14) Red River Aluminum, Stamps
- (15) Mid-South Reclamation Industries, Smackover
- (16) Cedar Chemical Corporation, West Helena
- (17) Baldwin Organ and Piano Company, Fayetteville
- (18) Swift Chemical Company Farm Property, Rogers
- (19) Swift Chemical Company Arkansas Street Site, Rogers
- (20) Arkansas Waste-to-Energy Incinerator Site, Osceola
- (21) Arkansas Waste-to-Energy Warehouse Site, Osceola
- (22) Arkansas Waste-to-Energy/E.R. Moore Site, Osceola
- (23) United States Forgecraft, Fort Smith
- (24) General Dynamics Corporation, East Camden

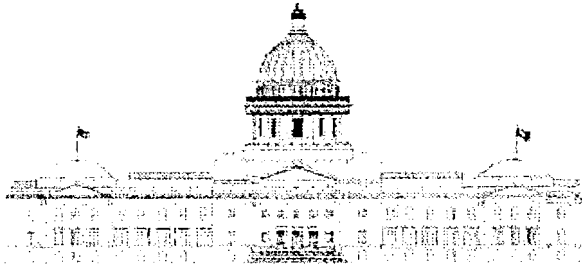
CHAPTER 4: EFFECTIVE DATE

Reg.30.401 Effective Date

This regulation and any amendments or revision thereof are effective 10 days after filing the regulation or any amendment or revision thereof with the Secretary of State, the State Library, and the Bureau of Legislative Research following adoption by the Commission.

ARKANSAS REGISTER

Transmittal Sheet



Charlie Daniels
Secretary of State
State Capitol Room 026
Little Rock, Arkansas 72201-1094
(501) 682-3527

For Office
Use Only: Effective Date _____ Code Number _____

Name of Agency Arkansas Department of Environmental Quality

Department Arkansas Pollution Control & Ecology Commission

Contact Mike Bates E-mail Bates@adeq.state.ar.us Phone (501) 682-0831

Statutory Authority for Promulgating Rules Arkansas Code, Annotated, Section 8-7-501, et seq.

Rule Title: Reg No. 30, AR Hazardous Substances Remedial Action Trust Fund Priority List, Docket 05-002-R

Intended Effective Date

- ☐ Emergency
- ☒ 10 Days After Filing
- ☐ Other _____

Legal Notice Published

Final Date for Public Comment

Reviewed by Legislative Council

Adopted by State Agency

Date

07/01/05

08/24/05

09/01/05

10/28/05

☒ Electronic Copy of Rule Provided (per Act 1648 of 2001)

☐ Electronic Copy of Rule to be e-mailed from: _____

Contact Person

Email Address

CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted
In Compliance with Act 434 of 1967 As Amended.

Michael O'Malley
Signature

(501) 682-7892

omalley@adeq.state.ar.us

Phone Number

E-mail Address

Administrative Hearing Officer

Title

12/06/05

Date

FILED
AR. REGISTER DIV.
05 DEC -6 PM 3:17
STATE OF ARKANSAS

ARKANSAS POLLUTION CONTROL & ECOLOGY COMMISSION

101 EAST CAPITOL

SUITE 205

LITTLE ROCK, ARKANSAS 72201

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December 6, 2005

Ms. Donna Davis
Administrative Rules and Regulations Committee
Room 433, State Capitol Building
Little Rock, AR 72201

RECEIVED
DEC 06 2005
BUREAU OF
LEGISLATIVE COUNSEL

Re: Regulation No. 30, (Hazardous Substance Remedial
Action Trust Fund Priority List); Docket No. 05-002-R
- **FINAL REGULATION**

Dear Ms. Davis:

I am enclosing the following for filing with your office:

1. Two (2) hard copies of the amendment to Regulation No. 30, (Hazardous Substance Remedial Action Trust Fund Priority List).
2. Two (2) copies of Minute Order No. 05-28
3. Two (2) copies of the Financial Impact Statement.

Please provide written confirmation of your receipt of these materials by file-marking the enclosed copy of this letter and returning it to me.

Thank you for your assistance in this matter.

Respectfully,

Michael O'Malley

Michael O'Malley
Administrative Hearing Officer

Enclosures

2005 DEC -6 PM 3: 31

ARKANSAS STATE LIBRARY

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For Office Use Only

Effective Date:

Classification Number:

Name of Agency: Arkansas Department of Environmental Quality

Contact Person: Mike Bates

Telephone: (501) 682-0831

Statutory Authority for Promulgating Rules: Arkansas Code, Annotated, Section 8-7-501, et seq.

Title of Rule: Regulation No. 30, Hazardous Substance Remedial Action Trust Fund Priority List, Docket No. 05-002-R

Rule Status	Effective Date Status	Effective Date
<input type="checkbox"/> New Rule/Regulation	<input type="checkbox"/> Emergency	
<input type="checkbox"/> Amended Rule/Regulation	<input checked="" type="checkbox"/> 10 Days after filing	December 16, 2005
<input type="checkbox"/> Repealed Rule/Regulation	<input type="checkbox"/> Other	
<input type="checkbox"/> Order	<input type="checkbox"/> Repealed	
<input type="checkbox"/> Emergency Rule/Regulation	Adopted by State Agency	

☐ Rule above is proposed and will be replaced by final version☒ Financial and/or Fiscal Impact Statement Attached**Certification of Authorized Officer**

I hereby certify that the attached rules were adopted in compliance with Act 434 of 1967 as amended.

Signature: Michael O'Malley Date: December 6, 2005Title: Administrative Hearing Officer, Arkansas Pollution Control & Ecology Commission

1/14/99

ARKANSAS POLLUTION CONTROL
AND ECOLOGY COMMISSION

SUBJECT: Reg. No. 30: Adoption
of Amendments

DOCKET No. 05-002-R

MINUTE ORDER NO. 05-28

Page 1 of 1

Pursuant to public notice and hearing and after consideration of all comments received, the Arkansas Pollution Control and Ecology Commission hereby adopts changes to Regulation No. 30 (Arkansas Hazardous Substance Remedial Action Trust Fund Priority List) as submitted to the Commission on October 14, 2005.

PROMULGATED THIS 28th DAY OF OCTOBER 2005, BY ORDER OF THE ARKANSAS
POLLUTION CONTROL AND ECOLOGY COMMISSION

BY:

Ephraim S. Valdez
Ephraim Valdez, Chair

ATTEST:

Marcus C. Devine
Marcus C. Devine, Director

APPROVED:

Mike Huckabee
Mike Huckabee, Governor

COMMISSIONERS:

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R. Young

E. Valdez
E. Valdez, Chair

SUBMITTED BY: Mike Bates DATE PASSED: Oct 28, 2005