

## **NOTICE OF PROPOSED THIRD-PARTY RULEMAKING, PUBLIC HEARING**

The Arkansas Pollution Control and Ecology Commission (APC&EC) will hold a public hearing at North Little Rock December 10, 2008, to receive comments on a third-party proposal by two utilities and three municipalities to change APC&EC Regulation No.19, the State Implementation Plan (SIP) for Air Pollution Control. Public comments on the proposal will be accepted until December 29, 2008. Electronic mail comments on the proposal should be sent to: [reg-comment@adeq.state.ar.us](mailto:reg-comment@adeq.state.ar.us).

The hearing will begin at 2:00 p.m. in the Commission Room at the Arkansas Department of Environmental Quality (ADEQ) headquarters building, 5301 Northshore Drive, North Little Rock.

Sections 3.4.1 through 3.4.4 of APC&EC Regulation No. 8 (Administrative Procedures), and the Arkansas Code, Annotated, Section 8-4-202(c), provide that outside parties may petition the APC&EC to initiate the rulemaking process to adopt or amend regulations under the APC&EC's jurisdiction. Commission authority to amend Regulation No. 19 is found in Arkansas Code Annotated, Section 8-4-301 et seq.

The fact that the APC&EC has agreed to initiate its rulemaking procedure for the third-party proposal does not constitute an endorsement of the proposal at this time. The APC&EC will decide whether to adopt the proposed changes after the conclusion of the public comment period for the proposal and after the petitioners and the ADEQ staff respond to all public comments submitted.

The third-party petition to change Regulation No. 19 was filed by Entergy Arkansas, Inc., Arkansas Electric Cooperative Corporation, Conway Corporation, City Water and Light Plant for the City of Jonesboro, and the West Memphis Utility Corporation. Each entity owns a portion of the White Bluff Steam Electric Station near Redfield in Jefferson County.

The proposal would amend Regulation 19 by revising the compliance date for installing Best Available Retrofit Technology (BART) air pollution control equipment to conform with the U.S. Environmental Protection Agency's (EPA) Regional Haze Rule, which requires installation of BART equipment within five years of EPA approval of the Arkansas Regional Haze State Implementation Plan.

Detailed copies of the proposed regulation change, along with support documents and summary information, are available for public inspection during normal business hours in the Public Outreach and Assistance Division, located on the second floor of the ADEQ's North Little Rock office, and in ADEQ information depositories located in Arkadelphia, Batesville, Blytheville, Camden, Clinton, Crossett, El Dorado, Fayetteville, Forrest City, Fort Smith, Harrison, Helena, Hope, Hot Springs, Jonesboro, Little Rock, Magnolia, Mena, Monticello, Mountain Home, Pocahontas, Russellville, Searcy, Stuttgart, Texarkana, and West Memphis; in campus libraries at the University of Arkansas at Pine Bluff and the University of Central Arkansas at Conway, and in the Arkansas State Library located on the State Capitol grounds at Little Rock.

Information concerning the proposed changes also can be viewed and downloaded at the ADEQ's Internet web site at the following URL address: [www.adeq.state.ar.us](http://www.adeq.state.ar.us).

Oral and written comments on the proposed changes to Regulation No. 19 will be accepted at the hearings, but written comments are preferred in the interest of accuracy. In addition, written or electronic mail comments will be accepted if received no later than 4:30 p.m. December 29, 2008. Written comments should be sent to Doug Szenher, public/media affairs manager, Arkansas Department of Environmental Quality, 5301 Northshore Drive, North Little Rock, AR 72118. Electronic mail comments should be sent to the following address: [reg-comment@adeq.state.ar.us](mailto:reg-comment@adeq.state.ar.us).

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