

EXHIBIT C

Arkansas Pollution Control and Ecology Commission

Regulation No. 6 Regulations for State Administration of the National Pollutant Discharge Elimination System (NPDES)



FINAL REVISED REGULATION

Adopted by the Arkansas Pollution Control and Ecology Commission August 28, 2015

REGULATION NO.6
REGULATIONS FOR STATE ADMINISTRATION OF THE NATIONAL
POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)

TABLE OF CONTENTS

CHAPTER ONE: GENERAL PROVISIONS	1-1
Reg.6.101 Adoption	1-1
Reg.6.102 Purpose	1-1
Reg.6.103 Definitions	1-1
Reg.6.104 Incorporation of Federal Regulations.....	1-3
Reg.6.105 Confidentiality	1-5
Reg.6.106 Violations	1-6
CHAPTER TWO: PERMIT PROCEDURES	2-1
Reg.6.201 Status and Continuation of Permits.....	2-1
Reg.6.202 Application Requirements for Construction and Operation of Wastewater Facilities.....	2-1
Reg.6.203 Permitting Requirements for Stormwater Discharges Associated with a Small Construction Site.....	2-3
Reg.6.204 Permitting Requirements for Industrial Users of Publicly Owned Treatment Works.....	2-4
Reg.6.205 Financial Assurance Permitting Requirements.....	2-5
Reg.6.206 Permitting Requirements for Discharges of Pesticides 2-7	
CHAPTER THREE: LOSING STREAM SEGMENTS.....	3-1
Reg.6.301 Effluent Discharges to Losing Stream Segments.....	3-1
CHAPTER FOUR: WASTEWATER DISCHARGES.....	4-1
Reg.6.401 Determination of Domestic Wastewater Effluent Limitations.....	4-1
Reg.6.402 Discharge of Treated Wastewater to the Ouachita River.....	4-2
CHAPTER FIVE: (RESERVED).....	5-1
CHAPTER SIX: WATERSHED SPECIFIC REGULATIONS.....	6-1
Reg.6.601 Lake Maumelle Basin.....	6-1
Reg.6.602 Buffalo River Watershed.....	6-1
CHAPTER SEVEN: ADMINISTRATIVE PROCEDURES.....	7-1
Reg.6.701 Penalty Policy and Administrative Procedures.....	7-1
Reg.6.702 Severability.....	7-1
CHAPTER EIGHT: EFFECTIVE DATE	8-1
Reg.6.801 Effective Date	8-1

CHAPTER SIX: WATERSHED SPECIFIC REGULATIONS

Reg. 6.601 Lake Maumelle Basin

All surface discharges of wastewater in the Lake Maumelle Basin are prohibited, with the exception of discharges permitted under the NPDES stormwater discharge program.

Reg. 6.602 Buffalo National River Watershed

- (A) The following definitions apply to Reg. 6.602:
- (1) The “Buffalo National River Watershed” is the area within United States Geologic Service Hydrologic Unit Code 11010005.
 - (2) “Coverage” means a notice of coverage issued pursuant to a general permit.
- (B) The Director shall not issue a permit or coverage pursuant to Regulation No. 6 for a CAFO in the Buffalo National River Watershed with:
- (1) 750 or more swine weighing 55 pounds or more; or
 - (2) 3,000 or more swine weighing less than 55 pounds.
- (C) Reg. 6.602(B) does not prohibit the Director from:
- (1) Issuing a permit or coverage renewal or modification for a CAFO in the Buffalo National River Watershed with an active permit or coverage as of the effective date of this regulation; or
 - (2) Issuing a new Regulation No. 6 permit or coverage for a facility which holds an active Regulation No. 5 permit as of the effective date of this regulation.
- (D) A permit or coverage renewal, modification, or new permit or coverage issued pursuant to Reg. 6.602(C) shall not increase the number of swine permitted at a facility.
- (E) Five years from the effective date of this regulation the Director shall initiate rulemaking to either delete this paragraph, Reg. 6.602(E), or delete the entirety of Reg. 6.602.