



DIVISION OF ENVIRONMENTAL QUALITY

Sarah Huckabee Sanders
GOVERNOR

Shane E. Khoury
SECRETARY

Notice of Proposed Rule Changes, Public Hearing, and Comment Period

The Division of Environmental Quality (DEQ) has proposed amendments to Arkansas Pollution Control and Ecology Commission (APC&EC) Rule 1, “Prevention of Pollution by Oil Field Waste” pursuant to Arkansas Code Annotated § 8-1-203(b) and Arkansas Code Annotated §8-4-202(a) and (b). Oral and written comments by stakeholders and the public will be received and made a part of the record during the public comment period.

Pursuant to APC&EC Rule 8, DEQ by this notice solicits comments of any interested party to the proposed rule amendments by submitting comments in writing on or before the end of the public comment period, which is September 8, 2024. All comments should be sent to Carol Booth at the address below.

Full and complete copies of the proposed changes to Rule 1 are available for inspection and review after making an appointment during regular business hours at the DEQ headquarters building, 5301 Northshore Drive, North Little Rock, AR 72118. The proposed rule changes are also available at DEQ information depositories located in public libraries at 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; and in campus libraries at the University of Arkansas at Pine Bluff and the University of Central Arkansas at Conway.

A public hearing will be held on August 29, 2024, beginning at 2:00 p.m., Central Time, to accept comments on the proposed amendments to Rule 1, “Prevention of Pollution by Oil Field Waste.” The hearing will be held in the Commission Room at the Department of Energy and Environment headquarters building at 5301 Northshore Drive, North Little Rock, AR 72118. The public hearing may be viewed via live broadcast on the E&E YouTube channel at https://www.youtube.com/channel/UCMr_txISHivnxRjg3dmOZ0A. If the hearing is postponed and rescheduled, a new legal notice will be published to announce the details of the new hearing date.

Oral and written comments regarding the rule amendments will be accepted at the hearing, but written comments are preferred in the interest of accuracy. In addition, written and electronic mail comments will be considered if received no later than 4:30 p.m., Central Time, September 8, 2024. Written comments should be delivered or mailed to: Carol Booth, Department of Energy and Environment, 5301 Northshore Drive, North Little Rock, AR 72118. Submit electronic comments on the proposed rule amendments: comment@adeq.state.ar.us.

The proposed amendment to Rule 1, “Prevention of Pollution by Oil Field Waste,” amends the rule to eliminate regulatory overlap with the Oil and Gas Commission in regard to high volume Class II Disposal wells and Class II Commercial Disposal wells. In Rule 1.201, the definitions of “Class II Well,” “Commercial disposal well,” “Disposal system,” “Disposal Well,” “High Volume disposal system,” and “Surface facility” will be eliminated because they will no longer be used in the rule. Rule 1.302 “Permit by Rule, Rule 1.303 “Disposal System Permits,” Rule 1.304 “Violation of Permit Prohibited” and Rule 1.305 “Permits Required” will be eliminated from the rule. Additional non-substantive or clerical revisions are proposed throughout Rule 1 for consistency and clarity.

A complete listing of the proposed changes to Rule 1 can be found on the “Draft Rules” page of the DEQ’s website: https://www.adeq.state.ar.us/regs/draft_regs.aspx under APC&EC Docket No. 24-002-R.

The deadline for submitting written comments on the proposed rule revisions is 4:30 p.m., Central Time, September 8, 2024.

Published August 3rd and 4th, 2024

Bailey Taylor, Interim Chief Administrator of Environment,
Department of Energy and Environment