

BEFORE THE ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION

IN THE MATTER OF AMENDMENTS TO)
REGULATION NO. 3, LICENSING OF WASTEWATER)
TREATMENT PLANT OPERATORS) DOCKET NO. 06-___-R

PETITION TO INITIATE RULEMAKING FOR REGULATION NO. 3, REGULATION
FOR THE LICENSING OF WASTEWATER TREATMENT PLANT OPERATORS

The Arkansas Department of Environmental Quality (hereinafter “ADEQ” or “Department”), for its Petition to Initiate Rulemaking to Amend Regulation No. 3, states:

1. Act 729 of 2005 made several changes to the wastewater licensing program followed by the Commission and by the Department. The Department proposed this rulemaking primarily to make the provisions of Regulation 3 conform with the statutory changes effected by the Act.
2. The proposed regulatory amendments precipitated by Act 729 of 2005 involve the following areas:

Devise a definite procedure for suspending or revoking a wastewater operator’s license.
3. Additional changes involve the following areas:
 - (A) Added requirements for an Apprentice Industrial Wastewater Operator license;
 - (B) Removed the Industrial Wastewater Conversion procedure;
 - (C) Removed wording that pertained to the last regulation revision;
 - (D) Added clarification to the correspondence course requirement;
 - (E) Added clarification to the exam application process.

4. The amendments to this regulation will have no financial impact on wastewater treatment plant operators.
5. Dan Etzkorn, attorney for ADEQ, and/or Martin Maner, Chief of the Department's Water Division, will be available to answer questions concerning this proposed rulemaking. A version of the regulation showing the proposed changes is attached as Exhibit "A" and is hereby incorporated by reference. A copy of the Legislative Questionnaire is attached as Exhibit "B", and a copy of the Legislative Financial Impact Statement for the proposed revision is attached as Exhibit "C", and a copy of the Economic Impact Statement is attached as Exhibit "D", all of which are hereby incorporated by reference. A proposed minute order is attached as Exhibit "E" and is hereby incorporated by reference.

WHEREFORE, the ADEQ requests that the Commission adopt the proposed Minute Order, and initiate the rulemaking on Regulation No. 3.

Respectfully submitted,

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By: _____

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