

BEFORE THE ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION

IN THE MATTER OF AMENDMENTS TO)
REGULATION NO. 3, LICENSING OF) DOCKET NO. 06-002-R
WASTEWATER TREATMENT PLANT)
OPERATORS)

STATEMENT OF BASIS AND PURPOSE
FOR REGULATION NO. 3, LICENSING OF WASTEWATER
TREATMENT PLANT OPERATORS

The Arkansas Pollution Control and Ecology Commission (the “Commission”) is given the power and responsibility to promulgate rules and regulations. Under Ark. Code Ann. § 8-1-203(b)(1), the Commission is granted the power and responsibility to promulgate rules and regulations implementing the substantive statutes which are administered by the Arkansas Department of Environmental Quality (hereinafter “ADEQ” or “Department”).

On January 12, 2006, ADEQ filed a Petition to Initiate Rule-making to Amend Regulation No. 3, Licensing of Wastewater Treatment Plant Operators to conform with Act 729 of 2005.

The areas addressed by the amendments being adopted by the Commission are:

1. Department changes:

Devise a definite procedure for suspending or revoking a wastewater operator’s license

2. Additional changes:

- (A) Added requirements for a 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; and

(E) Added clarification to the exam application process.

Amendment of Regulation No. 3 is necessary for the effective administration and implementation of the wastewater licensing program. There are no technical standards which must be addressed pursuant to Regulation No. 8, Section 3.6.2 (3). The Commission finds that the proposed revisions to Regulation No. 3 facilitate effective implementation of the substantive statutes administered by the Department. The rule is in the public interest, and is necessary to ensure compliance with state law.

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