

BEFORE THE ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION

IN THE MATTER OF PROMULGATION OF )  
REGULATION NO. 6, REGULATIONS FOR THE STATE ) DOCKET NO. 12-\_\_\_\_-R  
ADMINISTRATION OF THE NATIONAL POLLUTANT )  
DISCHARGE ELIMINATION SYSTEM (NPDES) )

PETITION TO INITIATE RULEMAKING TO AMEND REGULATION NO. 6

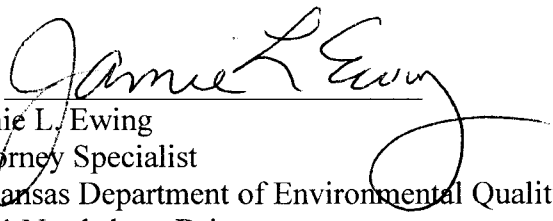
The Arkansas Department of Environmental Quality (hereinafter “ADEQ”), for its  
Petition to Initiate Rulemaking to Amend Regulation No. 6, Regulations for the State  
Administration of the National Pollutant Discharge Elimination System (NPDES), states:

1. ADEQ proposes to add several defined terms to Reg.6.103, Definitions. The new definitions are necessary to understand the requirements found in Reg.6.206 for discharges of pesticides into waters of the State.
2. ADEQ proposes to add Reg.6.206 to provide a permit-by-rule for entities discharging pesticides into waters of the State.
3. ADEQ proposes to delete Reg.6.204(B). This section is not necessary under the regulations governing NPDES permits. NPDES permits are only required for discharges of pollutants to waters of the State. Industrial users discharging to a publicly-owned treatment works are not discharging to waters of the State and are not required to obtain a permit from ADEQ prior to discharge.
4. ADEQ also proposes several minor changes to bring the regulation into compliance with the Commission’s Regulation Drafting Guidelines.
5. Jamie Ewing and Steve Drown from ADEQ will be available to answer questions concerning this proposed rulemaking. A red-lined 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

Financial Impact Statement for the proposed revisions is attached as Exhibit "C", both of which are incorporated by reference. The Economic Impact Statement filed with the Arkansas Economic Development Commission is attached as Exhibit "D" and is hereby incorporated by reference. A copy of the Economic Impact/Environmental Benefit Analysis is attached hereto as Exhibit "E" and is hereby incorporated by reference. A proposed minute order is attached as Exhibit "F" and is hereby incorporated by reference.

WHEREFORE, ADEQ requests that the Commission initiate the rulemaking process and adopt the proposed Minute Order.

Respectfully Submitted,

By:   
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