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RE. APC&E Commission Docket #16-004-R (Proposed Changes to Regulation 6)

I have a few comments on the subject docket and potential changes to ADEQ Regulation 6. I am a member of the Citizens of West Pulaski Co. organization and first off I will concur with and echo capable comments of Drew Kelso, one of our organization leaders.


I read through Reg. 6 draft changes and, while I do not understand the tech stuff, I applaud those responsible for simplifying the language to something more straightforward and less redundant. I only hope they did not remove critical safeguards to keeping Arkansas "The Natural State". As Drew noted, we question the wisdom and processional effect of replacing developer, builder and operator financial responsibility and assurance for these private treatment systems, with the trust fund.

Drew noted stats on non-municipal systems trouble/non-compliance history including that, fully 50% of existing systems, have failed on some level to date. Given that these private systems are set in place through the actions of real estate developers and builder/operators who move on after given project completes is it reasonable to expect an eventual 100% failure rate? May we presume that many if not all such failures result in some level of contamination of AR streams or reservoirs?

Am I correct in observing that under this trust fund concept, as these systems fail ongoing, the state and therefore state taxpayers will eventually pick up most of the costs of required repair, upgrade and ongoing operational expense, or reconnection to an available, functional municipal system? If that is the case it sounds like pretty good deal for the developers, builder/operators and patrons of these failing systems. But, when the rest of us catch on, I'm thinking most won't like it.

I was appalled and puzzled to hear that Rep Davis' bill passed the legislature. I get it that our honorable Representative and his developer supporters are running their agenda on us but I can't understand the legislature's thinking and the politics of this thing. Regardless, I believe that as this private sewer situation proliferates, the systems continue to fail and the people realize how much it is costing us, down the road there will be a reckoning. And if I am an ADEQ Director or Manager, I have to wonder how much of the fallout is liable to land on me as system approver and gatekeeper of this business.....

Just thinking,

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