

NOTICE OF PUBLIC HEARING

The Arkansas Pollution Control and Ecology Commission will hold a public hearing at North Little Rock September 9, 2008, to receive public comments on proposed revisions to Commission Regulation 8 (Administrative Procedures). The hearing will begin at 2:00 p.m. in the Commission Room at the Arkansas Department of Environmental Quality (ADEQ) headquarters building, 5301 Northshore Drive, North Little Rock.

The deadline for submitting written comments on the proposed Regulation 8 changes is September 23, 2008.

The Commission's authority for amending Regulation No. 8 is found in Arkansas Code Annotated, Section 8-4-201, et seq.

Proposed changes to Regulation 8 include:

- Addition of definitions for the terms, "Administrative Penalty," "Administrative Permit Amendment," "Applicant," "Commission Secretary," "Declaratory Order," "Implementing Agreement," "Major Modification," "Notice of Bond Forfeiture," "Permit," and "Subpoena."
- Addition of new language in Reg. 8.204 regarding disclosure statements to conform to statutory provisions.
- Revision of Reg. 8.206 concerning the filing of documents by facsimile or electronic mail.
- Addition of new language in Reg. 8.208 to allow the ADEQ Director to authorize an extension of time for public comments on draft permit decisions under certain conditions.
- Addition of a new Reg. 8.216 to establish procedures to request or appeal interim authority and temporary variance authorization.
- Revision of Reg. 8.405 regarding publication of legal notices involving ADEQ enforcement actions.
- Revision of Reg. 8.619 concerning requests for oral arguments of issues before the Commission.
- Addition of a new Reg. 8.703 dealing with the Commission's filing of a response and record involving appeals of Commission actions.
- Revision of Reg. 8.808 regarding the Commission's Rulemaking Docket to promote consistency among the applicable regulation, statutes, and the Commission's Regulation Formatting and Drafting Guidelines.
- Revision of Reg. 8.812 regarding the Economic Impact and Environmental Benefit Analysis requirements, including the addition of a new appendix containing forms for the analysis.
- Addition of new Reg. 8.905 and 8.906 to list procedures for requests to be included on the agenda to appear before the Commission, and for addressing the Commission during a designated public comment period, respectively. Currently the procedures are listed only in the nonbinding Guide to Commission Operations document.

Other proposed changes to the regulation deal with formatting and style changes made to conform to Commission regulation guidelines.

Copies of the proposed changes are available for public inspection during regular business hours at the ADEQ office in the Public Outreach and Assistance (POA) Division, or at ADEQ 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; in campus libraries at the University of Arkansas at Pine Bluff and the University of Central Arkansas at Conway; or in the Arkansas State Library located on the State Capitol grounds at Little Rock. In addition, a copy of the regulation showing the proposed changes, along with related support documents, is available for viewing or downloading at the ADEQ's Internet web site located at www.adeq.state.ar.us.

Oral and written comments will be accepted at the hearing, but written comments are preferred in the interests of accuracy. In addition, written and electronic mail comments will be considered if received no later than 4:30 p.m. September 23, 2008. Written comments should be mailed to Doug Szenher, POA Division, Arkansas Department of Environmental Quality, 5301 Northshore Drive, North Little Rock, AR 72118. E-mail comments should be sent to: reg-comment@adeq.state.ar.us.

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