

### **Summary of Amendments to Regulation No. 9 – Permit Fees Regulations**

The Arkansas Pollution Control Commission has adopted, as an emergency rule, an amendment to Regulation No. 9, Section 9.402(D). This amendment provides that hog farms that have a liquid animal waste disposal permit from the Arkansas Department of Environmental Quality shall not pay an annual fee if the permit is placed on inactive status. The permit may be placed on inactive status if the owner's or operator's contract with the integrator has been terminated by the integrator. The owner or operator must request inactive status from the Department and submit a copy of the integrator's letter of termination to the contract. While on inactive status, the owner or operator will not pay an annual fee, but must comply with all permit conditions in order for the permit to remain on inactive status. Failure to comply with the permit conditions may result the possible repayment of the annual permit fees, in addition to any assessed penalties. A permit may remain on inactive status for a maximum of two (2) years following the date of contract termination. If the permit is not reactivated at the end of two years, a closure plan must be filed with the Department. If the owner or operator begins operating the hog farm, the owner or operator must notify the Department within thirty days. Upon reactivation, the director may require the owner or operator to pay any annual fee not paid during the period the permit is on inactive status.