

NOTICE OF PUBLIC HEARINGS

The Arkansas Pollution Control and Ecology Commission will hold public hearings at Little Rock October 28, 2004, to receive comments on proposed revisions to Commission Regulation 9 (permit fees) and Regulation 19 (state implementation plan for air pollution control). The hearings will be held in the Arkansas Department of Environmental Quality's (ADEQ) Building D Training Room, 8101 Interstate Highway 30. The Regulation 19 hearing will begin at 2:00 p.m., and the Regulation 9 hearing will begin immediately after the Regulation 9 hearing ends.

Commission authority to revise Regulation 9 is found in the Arkansas Code Annotated (A.C.A.) Section 8-4-101, et seq.; A.C.A. Section 8-6-201, et seq.; and A.C.A. Section 8-1-101, et seq. Commission authority to revise Regulation 19 is found in A.C.A. Section 8-4-201, et seq.

Proposed substantive changes to Regulation 19 include adoption of recent federal regulation changes involving implementation of the New Source Review (NSR) permitting program; adoption of provisions to specify the basic federal requirements for issuing permits in areas which have not attained the national ambient air quality standards for ozone; adoption of a requirement for Stage 1 vapor recovery systems for volatile organic compounds in areas not attaining the national air quality standards for ozone; and various additions and clarifications to definitions as well as formatting changes to make the regulation conform to the Commission's regulation format standards.

The most significant proposed change to Regulation 9 would revise the escalator provision currently in place for Title V air permits. The proposed change would authorize the ADEQ Director to maintain the current permit fee level if an appropriate balance is maintained in the fee fund used to administer the permitting program. Under existing Regulation 9 language, the fee increases each year regardless of the fee fund balance. The proposed change would allow the ADEQ to avoid automatic permit fee increases that are not related to economic needs.

Other proposed changes to Regulation 9 include a clarification in the definitions section.

Copies of the proposed changes to both regulations are available for public inspection during regular business hours at the ADEQ's Little Rock office in the Customer Service Division, located in Building D, 8101 Interstate 30, or 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 each regulation showing the proposed changes 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. November 12, 2004. Written comments should be mailed to Doug Szenher, Customer Service Division, Arkansas Department of Environmental Quality, P.O. Box 8913, Little Rock, AR 72219-8913. Electronic mail comments should be sent to: reg-comment@adeq.state.ar.us .

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Marcus C. Devine, Director,
Arkansas Department of Environmental Quality