

ADEQ REGULATIONS TRACKING SHEET

Regulation No. 12 Common Name: Storage Tanks

1. **Strawman review** of draft regulations by key groups.

	<u>initiated</u>	<u>completed</u>	<u>incorporated</u>
EPA	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
ADEQ Legal/Admin.	<u>√</u>	<u>√</u>	<u>√</u>
Industrial/ Environmental Groups	<u>√</u>	<u>√</u>	<u>√</u>

1. **Comments:** ADEQ proposes to initiate this rulemaking to incorporate statutory changes passed by the General Assembly that amend various provisions of the Petroleum Storage Tank Trust Fund Act, Ark. Code Ann. § 8-7-901 et seq., particularly Act 809 of 2011, and Acts 406 and 1509 of 2013; to define "de minimis concentration" as it relates to blended material contained within storage tanks; to clarify registration requirements for storage tanks; to establish regulations for the reimbursement of equipment costs, the transfer of trust fund eligibility, and reimbursement to lenders or secured creditors; and to make minor stylistic revisions.

2. Proposed regulations presentation to Commission's **Regulations Committee** for approval to proceed to public comment period.

Date: January 24, 2014

By: Lorielle Gutting, Attorney, ADEQ

Comments/Approval: Committee recommended adoption of Petition to Initiate Rulemaking

3. **Legal notice** of proposed regulations and public hearing.

publication

dates of publication

Arkansas Democrat-Gazette

January 29-30, 2014

4. Provide **Legislative Council** with three copies of proposed regulations and the legislative questionnaire at least ten days prior to the first public hearing.

5. Hold **public hearing(s)** on the proposed regulations.

location

date

hearing chairman

ADEQ Headquarters, NLR

March 10, 2014

Charles Moulton

6. Date of final day of public comment period: March 24, 2014 at 4:30 p.m.

7. **Final proposed regulation and response to comments** prepared by Department.

Date initiated: March 26, 2014

Date filed: May 29, 2014

8. Formal presentation to the **Public Health & Welfare Committee** of the Legislative Council.
Date: April 25, 2014 *By:* Karen Bassett, Chief Deputy Director, ADEQ
Comments/Approval: Passed out of Committee as Reviewed

9. Formal presentation of proposed final regulation to the **Administrative Rules & Regulations Subcommittee** of the Legislative Council (All Regs).
Date: May 7, 2014 *By:* Teresa Marks, Director, ADEQ
Comments/Approval: Passed out of Committee as Reviewed

10. Presentation of proposed final regulation to Commission's **Regulations Committee**.
Date: June 27, 2014 *By:* Lorielle Gutting, Attorney Specialist, ADEQ
Comments/Approval: Anticipate recommendation for adoption

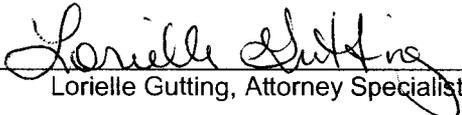
11. Provide Commission members with copy of proposed final regulation prior to Commission meeting.
Date Delivered: June 13, 2014

12. Present proposed final regulation to the **Commission** for adoption.
Date: June 27, 2014 *By:* Lorielle Gutting, Attorney Specialist, ADEQ
Comments/Approval: Anticipate adoption of amendments

13. Send two copies of adopted regulation to **Secretary of State** (regulation becomes effective ten days after filing).
Date mailed: June 30, 2014 (anticipated)

14. Formally submit adopted regulation to **EPA**.
Date mailed: Not applicable to this regulation.

PREPARED BY:
ARKANSAS DEPARTMENT
OF ENVIRONMENTAL QUALITY

By: 
Lorielle Gutting, Attorney Specialist