

# ADEQ

ARKANSAS  
Department of Environmental Quality

## Memorandum

**TO:** Michael O'Malley, Hearing Officer  
Arkansas Pollution Control and Ecology Commissioners

**FROM:** Mike Bates, Chief, Air Division *MB*

**DATE:** September 11, 2009

**SUBJECT:** Proposed Revisions to Regulation Number 18, Air Pollution Control Code

The Arkansas Department of Environmental Quality (ADEQ) proposes revisions to Regulation Number 18, Arkansas Air Pollution Control Code. Regulation Number 18 is applicable to any source which emits or has the potential to emit any air contaminant as defined in the regulation.

The proposed regulatory amendments involve changes to Reg. 18.605 of Regulation Number 18. The proposed regulatory amendments seek to clarify the administrative process necessary to obtain Department authorization to conduct open burning and to resolve inconsistency in the language used for such practices within different sections of Regulation Number 18, Chapter 6.

Reg. 18.603 refers to the process as a "letter of authorization," whereas Reg. 18.605 uses the term "permit." The phrase "letter of authorization" more accurately and appropriately describes the document and process utilized by the Department for these short term activities and does not imply that the permitting process described in Regulation Number 8 must be followed.

The change to Reg. 18.605 will help clarify for the citizens of Arkansas what is needed to obtain permission to conduct open burning and is consistent with the procedures regarding open burning that are currently addressed in Reg. 18.603.