

BEFORE THE ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION

**IN THE MATTER OF AMENDMENTS TO)
REGULATION NO. 19, REGULATIONS OF) DOCKET NO. 13 - 004 - R
ARKANSAS PLAN OF IMPLEMENTATION)
FOR AIR POLLUTION CONTROL)**

**RESPONSIVE SUMMARY FOR REGULATION NO. 19, REGULATIONS OF THE
ARKANSAS PLAN OF IMPLEMENTATION FOR AIR POLLUTION CONTROL**

Pursuant to Arkansas Code Annotated § 8-4-202(d)(4)(C) and Regulation No. 8.815, a responsive summary groups public comments into similar categories and explains why the Arkansas Pollution Control and Ecology Commission (“Commission”) accepts or rejects the rationale for each category.

On February 8, 2013, the Arkansas Department of Environmental Quality (“ADEQ”) filed a Petition to Initiate Rulemaking to Amend Regulation No. 19, Regulations of the Arkansas Plan of Implementation for Air Pollution Control.

Commission member John Chamberlin acted as Hearing Officer and conducted a public hearing on April 2, 2013. The public comment period ended April 16, 2013. ADEQ received one comment, listed below with the Commission's response.

Comment:

“[EPA] understand[s] that these revisions have been proposed to be consistent with federal GHG PSD PAL permitting provisions at 40 Code of Federal Regulations (CFR) 52.21 and that this will be submitted as revisions to the Arkansas State Implementation Plan (SIP). [EPA] note[s] that the new provisions proposed at Regulation 19, Section 19.904(A)(1) include the incorporation by reference date of August 13, 2012. Please be mindful that the ADEQ is responsible for monitoring 40 CFR 52.21(aa) for changes to the PAL permitting provisions and to initiate rulemaking accordingly pursuant to all applicable SIP revision requirements.”

Response:

The Commission acknowledges the Comment, and appreciates EPA’s review of the proposed rulemaking. ADEQ will monitor future federal rulemakings affecting 40 C.F.R. § 52.21(aa), and will request initiation of corresponding revisions to the Commission’s Regulations as necessary.

Conclusion:

No revisions to the final rule are necessary due to the comment received.

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