

NOTICE OF PROPOSED CHANGES TO ONE AIR QUALITY REGULATION AND NOTICE OF PUBLIC HEARING AND COMMENT PERIOD

The Arkansas Pollution Control and Ecology Commission (APC&EC) will hold a public hearing April 2, 2013, to receive public comments on proposed changes to APC&EC Regulation 19 (State Implementation Plan [SIP] for Air Pollution Control). The deadline for submitting written comments on the proposed changes is 4:30 p.m., April 16, 2013.

The hearing will begin at 2:00 p.m. in the Commission Room at the Arkansas Department of Environmental Quality (ADEQ) headquarters building, 5301 Northshore Drive, North Little Rock, AR 72118.

In the event of inclement weather or other unforeseen circumstances, a decision may be made to postpone the hearing. If the hearing is postponed and rescheduled, a new legal notice will be published to announce the details of the new hearing date and comment period. APC&EC authority to revise Regulation 19 is found in Arkansas Code, Annotated, Section 8-4-301, *et seq.*

The substantive proposed changes to Regulation 19 are necessary to implement plantwide applicability limitations (PALs) for greenhouse gas (GHG) emissions. On July 12, 2012, the Environmental Protection Agency (EPA) published a final rule in the Federal Register which promulgated the third step of the GHG Tailoring Rule, which was instated to “improve the administration of the GHG PSD (prevention of significant deterioration) permitting programs.” (77 Fed. Reg. 41,051, July 12, 2012.) Adoption of the proposed revisions to Regulation 19 will reduce the administrative burden on the ADEQ and will streamline the air permitting process for large facilities subject to GHG permitting.

Significant proposed changes are found within Regulation 19, Chapter 9, *Prevention of Significant Deterioration*. Specifically, at Reg. 19.904, *Adoption of Regulations*, paragraph 19.904(A)(1) is revised to incorporate 40 C.F.R. § 52.21(aa), the section within the Code of Federal Regulations where the GHG PALs federal language is located, and the pre-existing paragraph (A)(1) is renumbered as (A)(2). Also, at 19.904(G)(1), subparagraphs (a), (b), and (c) are added largely verbatim from GHG PALs federal language found at 40 C.F.R. § 52.21(b)(49)(i).

Minor changes were also made for clarification and consistency purposes, or to update typographical errors throughout Regulation 19. These changes are not related to the above GHG PALs revision, and are non-substantive items. Revisions made for this purpose include: at 19.904(A), a reference to paragraph 19.904(G) is added, at 19.904(E)(3), a reference to air quality models is corrected, and at 19.904(G)(1), the word “and” is added.

Amendments to Regulation 19 will be submitted to the EPA for inclusion into Arkansas’s SIP.

Copies of proposed regulation changes are available for public inspection during normal business hours at the Public Outreach and Assistance (POA) Division in the ADEQ’s headquarters building in North Little Rock, and in 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; and in the Arkansas State Library, 900 W. Capitol, Suite 100, Little Rock. In addition, copies of the draft regulation showing the proposed

changes, along with related support documents, are available for viewing or downloading on the draft regulations page of the ADEQ's Internet website at www.adeg.state.ar.us

Oral and written statements will be accepted at the hearing, but written comments are preferred in the interest of accuracy. In addition, written and electronic mail comments will be accepted if received no later than 4:30 p.m., April 16, 2013. Written comments should be mailed to Doug Szenher, POA Division, Arkansas Department of Environmental Quality, 5301 Northshore Drive, North Little Rock, AR 72118. Electronic mail comments should be sent to: reg-comment@adeq.state.ar.us.

Published February 27 and 28, 2013,
Teresa Marks, Director,
Arkansas Department of Environmental Quality