

**ARKANSAS POLLUTION CONTROL
AND ECOLOGY COMMISSION**

**SUBJECT: Adoption of
Revisions to Regulation 19
Regulations of the Arkansas Plan
of Implementation for Air
Pollution Control**

DOCKET NO. 18 - 006 - R

MINUTE ORDER NO. 19 - 17

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On September 28, 2018, the Arkansas Pollution Control and Ecology Commission initiated rulemaking to amend Regulation 19: Regulation of the Arkansas Plan of Implementation for Air Pollution Control. The period for public comment and a public hearing on the proposed rulemaking were all completed before the end of 2018.

Subsequently, the 92nd General Assembly of the State of Arkansas passed Act 315 of 2019, which, among other changes, provided for the uniform use of the term “rule” rather than “regulation” by state agencies. The Administrative Rules and Regulations Subcommittee of the Arkansas Legislative Council approved the proposed changes to Regulation 19 at its July 19, 2019 meeting. Then, Act 315 took effect on July 24, 2019. Act 315 provides that a governmental entity shall “ensure the use of the term rule upon promulgation of any rule after the effective date of this Act.”

In consideration of public notice and hearing, the record, the mandates of Act 315 of 2019, and the exigency of the adoption of the 2015 ozone national ambient air quality standard, the Arkansas Pollution Control and Ecology Commission hereby:

- (1) adopts the changes to Regulation No. 19, Regulations of the Arkansas Plan of Implementation for Air Pollution Control reflected in the version that was filed by the Division of Environmental Quality (Division) and entered into the Rulemaking Docket on August 6, 2019; and
- (2) directs the Division to ensure the use of the term “rule” instead of “regulation” in all future petitions to initiate rulemaking pertaining to Regulation 19 consistent with Act 315 of 2019.

PROMULGATED THIS 27TH DAY OF SEPTEMBER, 2019, BY ORDER OF THE
ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION.

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SUBMITTED BY: Stuart Spencer

PASSED: 09/27/19