

BEFORE THE ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION

**IN THE MATTER OF AMENDMENTS TO)
REGULATION NO. 19, REGULATIONS OF THE) DOCKET NO. 20-002-R
THE ARKANSAS PLAN OF IMPLEMENTATION)
FOR AIR POLLUTION CONTROL)**

**PETITION TO INITIATE RULEMAKING TO AMEND REGULATION NO. 19,
REGULATIONS OF THE ARKANSAS PLAN OF IMPLEMENTATION FOR
AIR POLLUTION CONTROL**

The Division of Environmental Quality (“Division”), for its Petition to Initiate Rulemaking to Amend Regulation No. 19, Regulations of the Arkansas Plan of Implementation for Air Pollution Control, states:

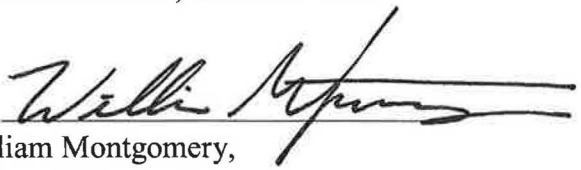
1. The Division requests that the Arkansas Pollution Control and Ecology Commission (“Commission”) initiate Rulemaking to amend Regulation No. 19, Regulations of the Arkansas Plan of Implementation for Air Pollution Control.
2. The proposed regulatory amendments are non-substantive and include language revisions to bring Regulation No. 19 in line with Act 315 of 2019 and the Transformation and Efficiencies Act of 2019. In this proposed rulemaking, “Department of Environmental Quality” is revised to read “Division of Environmental Quality,” and all instances of “regulation” are revised to read “rule” when referring to rules in general or rules promulgated by Arkansas government entities. Because all instances of “regulation” were changed to “rule” when referring to rules promulgated by Arkansas entities, definitions for Rule 8, Rule 18, and Rule 26 were added. These definitions ensure continuity of references to these rules, which have not yet been revised to change the term “regulation” to “rule.”
3. The proposed changes to Regulation No. 19 have been submitted to the Governor’s office for the Governor’s review, per Executive Order 15-02.

4. William Montgomery or other Office of Air Quality staff from the Division will be available to answer questions concerning this proposed rulemaking. A marked-up version of Regulation No. 19 showing the proposed changes is attached as "Exhibit A" and is hereby incorporated by reference. A copy of the Governor's approval letter, consistent with Executive Order 15-02 is attached as "Exhibit B" and is hereby incorporated by reference. A copy of the Legislative Questionnaire is attached as "Exhibit C" and the Financial Impact Statement is attached as "Exhibit D;" both are hereby incorporated by reference. The Economic Impact/Environmental Benefit Analysis requirement under Reg. 8.812 is attached as "Exhibit E" and is hereby incorporated by reference. A memo explaining that compliance with Act 143 of 2007 has been replaced by Act 759 of 2013 is attached as "Exhibit F" and is hereby incorporated by reference. A proposed minute order is attached as "Exhibit G" and is hereby incorporated by reference. During the public comment period, the Division will take comments on the proposed revisions.

WHEREFORE, the Division requests that the Commission initiate the rulemaking process, adopt the proposed Minute Order, and adopt the proposed amendments to Regulation No. 19.

Respectfully Submitted,

DIVISION OF
ENVIRONMENTAL QUALITY
5301 Northshore Drive
North Little Rock, Arkansas 72118

By: 
William Montgomery,
Office of Air Quality