

BEFORE THE ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION

IN THE MATTER OF AMENDMENTS TO )  
REGULATION NO. 26, REGULATIONS OF )  
THE ARKANSAS AIR PERMIT PROGRAM )

DOCKET NO. 02- -R

PETITION TO INITIATE RULEMAKING TO AMEND REGULATION NO. 26,  
REGULATIONS OF THE ARKANSAS AIR PERMIT PROGRAM

The Arkansas Department of Environmental Quality (hereinafter “ADEQ” or the Department”), for its Petition to Initiate RULEMAKING to Amend Regulation No. 26, Regulations of the Arkansas Air Permit Program , states:

1. On November 27, 2001, the Environmental Protection promulgated in the Federal Register a change to the Clean Air Act, 40 CFR Part 70, which revised the definition of “Major Source.” The Department proposes this rulemaking primarily to make the provisions of Regulation No. 26 conform with the federal changes.
2. The proposed regulatory amendments precipitated by the November 27, 2001, Federal Register revise a portion of the definition of “Major Source” to “Any other stationary source category, which as of August 7, 1980, is being regulated.”
3. In addition, the Department has proposed several “housekeeping” changes. These changes involve the following areas:
  - (A) Adding the definition of “Department.”
  - (B) Changing the modification date of the Clean Air Act from October 22, 1997 to November 27, 2001.
  - (B) Correcting typographical and grammatical errors.
4. Nelson Jackson, attorney in the Department’s Legal Division, will be available to answer

questions concerning this proposed rulemaking. A red-lined version of the regulation showing the proposed changes is attached as Exhibit “A,” a Financial Impact Statement is attached as Exhibit “B,” a proposed Minute Order is attached as Exhibit “C,” and all exhibits are hereby incorporated by reference.

WHEREFORE, the ADEQ requests that the Commission initiate the rulemaking process, adopt the proposed Minute Order, and adopt the proposed amendments to Regulation No. 26.

Respectfully submitted,

BY: 

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