

NOTICE OF THREE PUBLIC HEARINGS

The Arkansas Pollution Control and Ecology Commission will hold three separate public hearings at North Little Rock August 4, 2008, to receive comments on proposed revisions to Commission air quality regulations. The event will begin at 2:00 p.m. in the Commission Room at the Arkansas Department of Environmental Quality (ADEQ) headquarters building, 5301 Northshore Drive. The deadline for submitting written comments on all three regulations is August 18, 2008.

Proposed changes to Commission Regulations 18 (Arkansas Air Code), 19 (State Implementation Plan [SIP] for Air Pollution Control), and 26 (Arkansas Operating Air Permit Program) will be the topics of the August 4 hearings, with the Regulation 18 hearing starting at 2:00 p.m., followed by the Regulation 19 hearing immediately after comments on Regulation 18 have been completed. The Regulation 26 hearing will begin immediately after comments on Regulation 19 end.

Commission authority to revise Regulations 18, 19, and 26 is found in Arkansas Code Annotated (A.C.A.) Section 8-4-301, et seq.

Proposed changes to Regulation No. 18 involve:

- Additions to the Definitions section, including a new definition of “EPA” and Title I modifications.
- Creation of a new Chapter 15 for language specifying the effective date of the regulation.
- Updating Reg. 18.301 to change the emissions permitting thresholds for carbon monoxide, nitrogen oxides, sulfur dioxide, volatile organic compounds, the two classifications of particulates, single hazardous air pollutants, and combinations of hazardous air pollutants; adding charcoal plants to the list of facilities required to obtain an air permit regardless of emission levels; and adding the following source types to the list of facilities not required to have an air permit: Stationary reciprocating internal combustion engines for non-part 70 sources (minor sources), hospital ethylene oxide sterilizers, gasoline dispensing facilities, stationary compression ignition internal combustion engines with a displacement of less than 30 liters per cylinder, and stationary spark ignition internal combustion engines.
- Replacing existing language in Reg. 18.307 referring to disclosure statements with new language referencing Commission Regulation 8 (administrative procedures) containing applicable language.
- Clarification of Reg. 18.307 to specify that public notice requirements do not apply in cases of ownership or name changes.
- Modifying and adding *De Minimis* levels in Reg. 18.307 to specify the levels at which proposed modifications would be considered trivial for the pollutants carbon monoxide, nitrogen dioxide, sulfur dioxide, and volatile organic compounds, and establishing such levels for the two classifications of particulate matter.
- Addition of Reg. 18.312 (Operational Flexibility--Applicant’s duty to apply for alternative scenarios); Reg. 18.313 (Changes resulting in no emissions increases); Reg. 18.314 (Permit Flexibility); and Reg. 18.315 (Registration).
- Changes to Appendix A, Insignificant Activities List: Under Group A, Item 12, the addition of exemptions for generators that provide electricity to the distribution grid; and under Group B, Item 69, the addition of hazardous air pollutants to the list of substances

that cannot be used or emitted from mixers, blenders, roll mills, or calendars for rubber or plastic for which no materials in powder form are added.

- Correction of typographical errors and changes in format or style to conform to the Commission's standardized regulations format, correct internal inconsistencies, and update the regulation to conform to state law.
Proposed changes to Regulation 19 include:
- Adding a new definition for Title I modification, and changing the definition of volatile organic compounds to conform to the federal definition.
- Updating Reg. 19.401 to change the emissions permitting thresholds for carbon monoxide, nitrogen oxides, sulfur dioxide, volatile organic compounds, particulate matter 10 micrograms or smaller in diameter, single hazardous air pollutants, and combinations of hazardous air pollutants.
- Replacing existing language in Reg. 19.407 referring to disclosure statements with new language referencing Commission Regulation 8 (Administrative Procedures) containing applicable language.
- Clarification of Reg. 19.407 to specify that public notice requirements do not apply in cases of ownership or name changes.
- Modifying and adding *De Minimis* levels in Reg. 19.407 to specify the levels at which proposed modifications would be considered trivial for the pollutants carbon monoxide, nitrogen dioxide, sulfur dioxide, and volatile organic compounds, and establishing such levels for the two classifications of particulate matter.
- Updating Reg. 19.412 by incorporating by reference the Federal Register date involving federal dispersion modeling guidelines.
- Addition of new Reg. 19.414 (Operational Flexibility--Applicant's duty to apply for alternative scenarios); Reg. 19.415 (Changes resulting in no emissions increases); Reg. 19.416 (Permit Flexibility); and Reg. 19.417 (Registration).
- Addition of a new Reg. 19.417 (Registration) to allow for tracking of facilities that are currently regulated under the emission limits in Reg. 19.401 but would not be regulated under the proposed changes to Reg. 19.401.
- Updating Reg. 19.904 (Adoption of Regulations) to incorporate by reference various revisions to the SIP required under recent federal regulation changes.
- Changes to Appendix A, Insignificant Activities List: Under Group A, Item 12, the addition of exemptions for generators that provide electricity to the distribution grid; and under Group B, Item 69, the addition of hazardous air pollutants to the list of substances that cannot be used or emitted from mixers, blenders, roll mills, or calendars for rubber or plastic for which no materials in powder form are added.
- Correction of typographical errors and changes in format or style to conform to the Commission's standardized regulations format, correct internal inconsistencies, and update the regulation to conform to state law.
Proposed changes to Regulation 26 include:
- Clarification of the definition of Title I modification.
- Creation of a new Chapter 13 for language specifying the effective date of the regulation.
- Clarification of Reg. 26.406 to specify that a timely permit renewal application is one received by the ADEQ at least six months prior to the permit expiration date.

- Modifying Reg. 26.801 (Applicant's duty to apply for alternative scenarios) to make the section applicable to all permits issued under Regulation 26.
- Updating Reg. 26.1002 (Minor permit modification applicability) regarding the levels of emissions increases which can be used in minor permit modification requests involving carbon monoxide, nitrogen oxides, sulfur dioxide, volatile organic compounds, and the two classifications of particulate matter.
- Adding Reg. 26.1013 (Permit Flexibility).
- Correction of typographical errors and changes in format or style to conform to the Commission's standardized regulations format, correct internal inconsistencies, and update the regulation to conform to state law.

Copies of the proposed changes are available for public inspection during regular business hours at the ADEQ office in the Public Outreach and Assistance (POA) Division, or at 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; or in the Arkansas State Library located on the State Capitol grounds at Little Rock. In addition, a copy of the regulation showing the proposed changes, along with related support documents, is available for viewing or downloading at the ADEQ's Internet web site located at www.adeq.state.ar.us.

Oral and written comments will be accepted at the hearing, but written comments are preferred in the interests of accuracy. In addition, written and electronic mail comments will be considered if received no later than 4:30 p.m. August 18, 2008. Written comments should be mailed to Doug Szenher, POA Division, Arkansas Department of Environmental Quality, 5301 Northshore Drive, North Little Rock, AR 72118. E-mail comments should be sent to: reg-comment@adeq.state.ar.us.

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