



ARKANSAS
Department of Environmental Quality

April 12, 2013

Sen. Mary Ann Salmon, Co-Chair
Rep. Tommy Lee Baker, Co-Chair
Arkansas Legislative Council
Room 315, State Capitol Building
Little Rock, AR 72201

Dear Sen. Salmon & Rep. Baker:

As required in Act 957 of 2011, Section 38(a)-(e), the Arkansas Department of Environmental Quality presents the following information:

- (a) the number and type of environmental permits currently authorized by the Department and Pollution Control and Ecology Commission in each environmental permit category,
- (b) the total funds collected from permit fees for each permit category and the percent increase or decrease in permit fees annually,
- (c) the description of each environmental permit application pending in each environmental permit category, the number of days each permit has been pending, and the reasons for delays in issuing permits for each permit that has been pending for more than 45 days,
- (d) the number and type of enforcement actions initiated by the Department, the geographic location of each violation and the total fines and collections from Supplemental Environmental Projects, the percent increase or decrease in fines levied annually, and
- (e) the description of all pending rulemaking activities and justifications, including economic impact and environmental benefit analysis.

The information provided by each division covers the period January 1, 2013 through March 31, 2013. If you have any questions, please contact Karen Bassett at (501) 682-0959.

Sincerely,

A handwritten signature in cursive script that reads "Teresa Marks".

Teresa Marks
Director

Enclosure

AIR DIVISION

As of: 4/1/2013

State Fiscal Quarter 3rd FY2013

Air Permits/Category

Major Title V 202
Minor 1037

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Permits Pending- By Category/Facility

MAJOR TITLE V				
CSN	DATE APPLICATION RECEIVED	FACILITY	DAYS ACTIVE	REASON
1600002	3/10/2008	Acme Brick - Wheeler Plant	1848	2
3500017	4/22/2008	Graphic Flexible Packaging, LLC	1805	5
3500017	4/22/2008	Graphic Flexible Packaging, LLC	1805	5
3200036	7/21/2008	FutureFuel Chemical Company	1715	6
7000037	9/10/2008	Great Lakes Chemical Corporation - South Plant	1664	5
7000037	2/27/2009	Great Lakes Chemical Corporation - South Plant	1494	5
5500017	4/2/2009	Bean Lumber Company, Inc.	1460	8
3200036	4/13/2009	FutureFuel Chemical Company	1449	6
7000037	7/13/2009	Great Lakes Chemical Corporation - South Plant	1358	5
3200036	7/24/2009	FutureFuel Chemical Company	1347	6
7000037	8/7/2009	Great Lakes Chemical Corporation - South Plant	1333	5
4500008	10/5/2009	Fishing Holdings, LLC	1274	5
4700202	10/6/2009	Nucor-Yamato Steel Company	1273	5
5500017	11/3/2009	Bean Lumber Company	1245	8
3500017	11/16/2009	Graphic Flexible Packaging, LLC	1232	5
3200036	1/20/2010	FutureFuel Chemical Company	1167	6
7000012	1/28/2010	Great Lakes Chemical Corporation - Central Plant	1159	5
2300294	2/26/2010	Steele Plastics	1130	6
0400213	3/31/2010	Preformed Line Products Company	1097	3
7000037	4/2/2010	Great Lakes Chemical Corporation - South Plant	1095	5
7000012	5/3/2010	Great Lakes Chemical Corporation - Central Plant	1064	5
0400107	6/24/2010	SWEPSCO dba Flint Creek Power Plant	1012	3
7000012	7/8/2010	Great Lakes Chemical Corporation - Central Plant	998	5
7000012	7/16/2010	Great Lakes Chemical Corporation - Central Plant	990	5
4700202	7/28/2010	Nucor-Yamato Steel Company	978	5
4700202	8/31/2010	Nucor-Yamato Steel Company	944	5
1800082	10/13/2010	Big Rivers Industries, Inc. (Arkalite Division)	901	5
7000037	11/12/2010	Great Lakes Chemical Corporation - South Plant	871	5
3200036	11/19/2010	FutureFuel Chemical Company	864	6
4700202	1/5/2011	Nucor-Yamato Steel Company	817	5
7000012	1/28/2011	Great Lakes Chemical Corporation - Central Plant	794	5
4700202	2/25/2011	Nucor-Yamato Steel Company	766	5
3500017	2/28/2011	Graphic Flexible Packaging, LLC	763	5
6000302	4/19/2011	University of Arkansas for Medical Services (UAMS)	713	3
7000012	4/25/2011	Great Lakes Chemical Corporation - Central Plant	707	5
7000012	5/10/2011	Great Lakes Chemical Corporation - Central Plant	692	5
7000016	5/27/2011	Lion Oil Company	675	5
7000012	7/11/2011	Great Lakes Chemical Corporation - Central Plant	630	5
0700035	8/1/2011	Aerojet - General Corporation	609	5
0700035	8/18/2011	Aerojet - General Corporation	592	5
5800272	8/24/2011	JW Aluminum Company	586	7
1000005	9/15/2011	Georgia-Pacific Wood Products South LLC - Gurdon	564	5
6000003	9/30/2011	3M Industrial Mineral Products Division	549	3
0200028	10/18/2011	Georgia Pacific Chemicals LLC	531	2
7000012	10/28/2011	Great Lakes Chemical Corporation - Central Plant	521	5
4100001	11/1/2011	Ash Grove Cement Company	517	7
0200028	11/15/2011	Georgia Pacific Chemicals LLC	503	2
3200036	11/17/2011	FutureFuel Chemical Company	501	6
4700202	11/23/2011	Nucor-Yamato Steel Company	495	5
7000016	12/14/2011	Lion Oil Company	474	5
3500025	12/16/2011	Planters Cotton Oil Mill, Inc.	472	5
0200028	12/19/2011	Georgia Pacific Chemicals LLC	469	2
6001071	12/20/2011	City of Little Rock - Solid Waste Facility	468	5
6000302	1/13/2012	University of Arkansas for Medical Services (UAMS)	444	3
3500017	1/20/2012	Graphic Flexible Packaging, LLC	437	5

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1000005	1/25/2012	Georgia-Pacific Wood Products South LLC - Gurdon	432	5
2400012	1/25/2012	Thomas B. Fitzhugh Generating Station	432	6
6000302	2/22/2012	University of Arkansas for Medical Services (UAMS)	404	3
3500017	3/1/2012	Graphic Flexible Packaging, LLC	396	5
7000012	3/6/2012	Great Lakes Chemical Corporation - Central Plant	391	5
3500017	3/8/2012	Graphic Flexible Packaging, LLC	389	5
6000438	3/8/2012	Waste Management of Arkansas, Inc. (Two Pine Landfill)	389	5
3500016	3/12/2012	Evergreen Packaging	385	3
0700035	3/16/2012	Aerojet - General Corporation	381	5
3500110	3/19/2012	Entergy Arkansas, Inc., dba White Bluff Plant	378	9
7000016	4/5/2012	Lion Oil Company	361	5
1000005	4/23/2012	Georgia-Pacific Wood Products South LLC	343	5
3500025	4/23/2012	Planters Cotton Oil Mill, Inc.	343	5
5400120	5/2/2012	CenterPoint Energy Gas Transmission Company, LLC	334	2
0700035	5/21/2012	Aerojet - General Corporation	315	5
4700202	5/25/2012	Nucor-Yamato Steel Company (Limited Partnership)	311	5
2300294	6/1/2012	Steele Plastics, Inc.	304	6
0200013	6/4/2012	Georgia-Pacific LLC (Crossett Paper Operations)	301	6
4700202	6/13/2012	Nucor-Yamato Steel Company (Limited Partnership)	292	5
4700914	6/18/2012	Precoat Metals Corp.	287	5
1000005	6/26/2012	Georgia-Pacific Wood Products South LLC -Gurdon	279	5
7301044	6/29/2012	Texas Gas Transmission, LLC (Bald Knob Compressor Station)	276	7
6000003	7/3/2012	3M Company (3M Industrial Mineral Products Division)	272	3
3500016	7/9/2012	Evergreen Packaging, Inc.	266	3
5800014	7/11/2012	Freeman Brothers, Inc. (Bibler Brothers Lumber Company)	264	3
0400107	7/16/2012	SWEPSCO dba Flint Creek Power Plant	259	3
6300155	7/24/2012	BFI Waste Systems of Arkansas, LLC	251	7
6600219	7/31/2012	Saint-Gobain Ceramics & Plastics, Inc.	244	7
0200028	8/6/2012	Georgia-Pacific Chemicals LLC	238	2
0100008	8/10/2012	Riceland Foods, Inc. (Soy Division)	234	3
3500016	8/16/2012	Evergreen Packaging, Inc.	228	3
4700202	8/24/2012	Nucor-Yamato Steel Company (Limited Partnership)	220	5
3200036	9/5/2012	FutureFuel Chemical Company	208	5
4700115	9/12/2012	Viskase Companies, Inc.	201	5
7000012	9/19/2012	Great Lakes Chemical Corporation (Central Plant)	194	5
0700035	9/19/2012	Aerojet - General Corporation	194	5
6600219	9/25/2012	Saint-Gobain Ceramics & Plastics, Inc.	188	9
7000543	9/27/2012	Union Power Partners, L.P.	186	6
7400024	10/1/2012	Arkansas Electric Cooperative Coop. -Carl E Bailey	182	5
1500019	10/12/2012	Green Bay Packaging Inc. (Pinecrest Lumber Division)	171	5
1000005	10/15/2012	Georgia-Pacific Wood Products South LLC -Gurdon	168	5
3500017	10/16/2012	Graphic Flexible Packaging, LLC	167	5
1000005	10/22/2012	Georgia-Pacific Wood Products South LLC -Gurdon	161	5
3500025	10/23/2012	Planters Cotton Oil Mill, Inc.	160	5
7000016	10/26/2012	Lion Oil Company	157	5
5800145	11/1/2012	Superior Graphite Co.	151	6
1400037	11/1/2012	Deltic Timber Corporation (Waldo Mill)	151	3
1400028	11/2/2012	Albemarle Corporation (South Plant)	150	3
6000058	11/2/2012	Hall Tank Company, LLC	150	6
1400028	11/13/2012	Albemarle Corporation (South Plant)	139	3
3600004	11/13/2012	Acme Brick Company (Clarksville Eureka Brick Plant)	139	3
2900090	11/13/2012	New Millennium Building Systems, LLC	139	6
7000098	11/16/2012	Clean Harbors El Dorado, LLC	136	2
1400028	11/26/2012	Albemarle Corporation (South Plant)	126	3
3900023	11/26/2012	U.S. Army Corps of Engineers - W.G. Huxtable Pumping Plant	126	3
1500001	12/3/2012	Green Bay Packaging Inc. (Arkansas Kraft Division)	119	3
2800256	12/12/2012	American Railcar Industries, Inc.	110	9
2400104	12/12/2012	Sourcegas Arkansas Inc. (Lone Elm Compressor Station)	110	9
1400028	12/13/2012	Albemarle Corporation (South Plant)	109	3
3200042	12/17/2012	Entergy Arkansas, Inc. (Independence Plant)	105	3
3500110	12/17/2012	Entergy Arkansas, Inc. (White Bluff Plant)	105	3
1400124	1/4/2013	Petro-Chem Operating Co., Inc. (Grayson Smackover Unit)	87	5
7300110	1/9/2013	The Bryce Company LLC	82	6
6600219	1/9/2013	Saint-Gobain Ceramics & Plastics, Inc.	82	7
7200270	1/10/2013	Superior Industries International Arkansas, LLC	81	7
6000565	1/14/2013	BFI Waste Systems of AR, LLC - Model Fill Landfill	77	5
1000004	1/16/2013	Reynolds Metals Company (Gum Springs)	75	5
3500016	1/23/2013	Evergreen Packaging, Inc.	68	3
3500016	1/25/2013	Evergreen Packaging, Inc.	66	3
6600041	1/25/2013	Baldor Electric Company	66	6
6600041	1/25/2013	Baldor Electric Company	66	6
4700991	1/29/2013	Big River Steel LLC	62	3
7000040	1/31/2013	El Dorado Chemical Company	60	1

0400100	2/6/2013	Glad Manufacturing Company	54	3
2400068	2/7/2013	SourceGas Arkansas Inc. (Woosley Compressor Station)	53	5
2800077	2/8/2013	Northeast Arkansas Regional Solid Waste Management District	52	2
2700002	2/8/2013	West Fraser, Inc. (Leola Lumber Mill)	52	2
2400071	2/11/2013	SourceGas Arkansas Inc. (Drake Compressor Station)	49	2

MINOR SOURCE				
CSN	DATE APPLICATION RECEIVED	FACILITY	DAYS ACTIVE	REASON
6000404	3/11/2011	HWRT Terminal - North Little Rock, LLC	752	6
5700001	6/13/2011	Nidec Motor Company	658	9
8800272	9/8/2011	RK Hall Construction, Ltd. (Kirby Quarry #15 and Asphalt Plant)	571	8
5800098	11/7/2011	Thompson Industries	511	7
8801007	12/21/2011	Rogers Group, Inc. (Portable Plant 1)	467	2
7201976	2/6/2012	Bub's Inc.	420	5
3100097	2/7/2012	Tyson Poultry, Inc. - Nashville Feed Mill	419	5
0300021	2/16/2012	Eaton Corporation, Hydraulics Fluid Conveyance	410	3
0402129	6/25/2012	Good Wood, Inc. (Good Wood Shavings & Rice Hulls)	280	3
1700076	6/28/2012	Oxane Materials, LLC	277	6
6001036	7/13/2012	Hawker Beechcraft Corporation	262	6
4200207	7/30/2012	CenterPoint Energy Field Services (East Chismville Compress)	245	5
4200238	7/30/2012	CenterPoint Energy Field Services, LLC (Brownsville Compress)	245	5
4700012	8/3/2012	Kinder Morgan Operating L.P. "C" (Blytheville Terminal)	241	9
7200026	8/16/2012	University of Arkansas, Fayetteville Campus	228	5
4600114	8/17/2012	Smith-Blair, Inc.	227	6
1600914	8/24/2012	Murphy Oil USA, Inc. (Jonesboro Terminal)	220	6
8800614	9/4/2012	GS Roofing Products Company, Inc. d/b/a CertainTeed	209	2
3400394	9/25/2012	Ozark Premium Sand, LLC (Scurlock Facility)	188	6
6100001	10/1/2012	Nielsen Bainbridge Frame, Inc. (Pinnacle Frames & Accents, Inc.)	182	6
6600450	10/3/2012	Ashland Inc. (Ashland Performance Materials)	180	5
2400022	10/23/2012	Butterball, LLC	160	5
8800712	10/26/2012	Pine Bluff Sand & Gravel Company (River Mountain Quarry)	157	2
1601055	10/29/2012	Baptist Memorial Hospital - Jonesboro, Inc. (NEA Baptist Memorial)	154	6
8801028	10/30/2012	Washington County Road Department (Goshen Tuttle Quarry)	153	6
0700022	10/30/2012	Lockheed Martin Corporation (Lockheed Martin Missiles & Fire)	153	3
2700004	11/7/2012	Kohler Company (Sheridan)	145	7
7000039	11/15/2012	Martin Operating Partnership L.P.	137	6
2200208	11/19/2012	Team Ward, Inc.	133	6
5400013	11/19/2012	ADM Grain River Systems, Inc. d/b/a ADM Grain Company	133	9
1600275	11/27/2012	Thomas & Betts Corporation	125	2
6000853	11/27/2012	Tarco, Inc.	125	5
0400715	12/4/2012	Cryovac, Inc.	118	7
2600273	12/6/2012	Triumph Airborne Structures, LLC	116	3
0400255	12/10/2012	Superior Industries International Arkansas, LLC	112	3
3600013	12/12/2012	Tyson Foods, Inc. (Clarksville Protein Plant)	110	2
4300024	12/12/2012	Remington Arms Company, LLC	110	6
7301102	12/18/2012	Fayetteville Gathering Company (White Compressor Station)	104	5
2900125	12/20/2012	Momentive Specialty Chemicals Inc.	102	7
8801007	12/21/2012	Rogers Group, Inc. (Portable Plant #1)	101	2
7200026	1/16/2013	University of Arkansas, Fayetteville Campus	75	5
5800224	1/17/2013	CenterPoint Energy Gas Transmission Company, LLC (Piney)	74	6
1800204	1/28/2013	LRM-Arkansas	63	3
5600048	2/1/2013	Riceland Foods, Inc. (Waldenburg)	59	2
5400435	2/1/2013	Quapaw Products, LLC	59	5
6000499	2/6/2013	Military Department of Arkansas (Robinson Maneuver Training)	54	2
0900040	2/6/2013	Farmers Grain Terminal, Inc.	54	5
1800081	2/11/2013	BASF Corporation	49	2
1700043	2/11/2013	Bekaert Corporation	49	2
8800986	2/12/2013	McGeorge Contracting, Inc. (Granite Mountain Quarries Plant)	48	2
6001545	2/12/2013	DeSoto Sand, LLC	48	6
4300024	2/12/2013	Remington Arms Company, LLC	48	2

Reason Codes	
1	Conducting Administrative Completeness Review
2	Reviewing Technical Information
3	Awaiting Information from Applicant
4	Modification Class Change
5	Drafting Draft Permit Decision
6	Awaiting Close of Public Comment Period
7	Drafting Response to Comments
8	Novel Legal Issues
9	Other

As of:	3/25/2013
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State Fiscal Quarter	Third
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Hazardous Waste Management Permits

Post-Closure:	5
Hazardous Waste Management:	12

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Applications Pending	3
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Type/Name	Permit No.	Days Pending	Reason Code
Permit Modification/Clean Harbors/New Incinerator and Support Units	10H-RN1	126	2, 3, & 5
Permit Modification/RMC/Add new waste code	30H-RN1	32	3 & 5
Permit Modification/Ash Grove/Railcar-Truck Cleanout Capacity Increase	21H-RN1	28	1, 2, & 5

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1	Conducting Administrative Completeness Review
2	Reviewing Technical Information
3	Awaiting Information from Applicant
4	Modification Class Change
5	Drafting Draft Permit Decision or Mod. Approval
6	Awaiting Close of Public Comment Period
7	Drafting Response to Comments
8	Novel Legal Issues
9	Other:

MINING DIVISION

As of: 3/31/2013

State Fiscal Quarter 3rd FY13

Mining Division Permits/Category

Coal Mining		Open-Cut Mining	
Active	5	Sand and Gravel	151
Exploratory		Clay	35
		Shale	17
		In-Stream	3
		Soil	45
		Other	11
Coal Total	5	Open-Cut Total	262
Total Mining Permits	267		

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Permits Pending- By Category/Facility

COAL MINING		Days Pending	Reason Code
Sebastian Mine		48	
OPEN-CUT MINING		Days Pending	Reason Code
Bradley Shale and Fill		300	8
R&R Dirtworks		200	8
Total Site Development		117	3
Wilcox Investments		110	3
Gay Lacy		109	5

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(Issued on 4/1/13)

Reason Codes:

1	Conducting Administrative Completeness Review
2	Reviewing Technical Information
3	Awaiting Information from Applicant
4	Awaiting Public Hearing
5	Awaiting Close of Public Comment Period
6	Drafting Response to Comments
7	Drafting Draft Permit Decision
8	Legal Issues
9	Other:

SOLID WASTE DIVISION

As of: 3/31/2013

State Fiscal Quarter 3

Solid Waste Management Permits/Category

Class 1 Landfills	32
Class 3 Landfills	28
Class 4 Landfills	36
Compost Facilities	25
CDMRF	0
Tire Processing Facilities	10
Transfer Station/WRFs	93

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Permits Pending- By Category/Facility

Class 1 Landfill Apps/Mods		Days Pending	Reason Code
WCA - Rolling Meadows Expansion Major Mod		2067	3
City of Conway Class 1 Major Mod		1213	3
Mississippi Co. Class 1 Major Mod		699	3
WM - Jefferson Co. Minor Mod		627	3
WCA Union Co. Class 1 Major Mod		422	2
WCA Union Co. Class 1 Minor Mod		90	2
WM Eco-Vista Minor Mod		466	3
WM Ozark Ridge Minor Mod		361	2
WM Jefferson Co. Minor Mod		332	2

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Class 3 Landfill Apps/Mods		Days Pending	Reason Code
Albemarle - South Plant		448	1
Entergy Independence Major Mod		2313	2
Entergy Independence Minor Mod		20	1
Entergy White Bluff Major Mod		1416	3
Entergy White Bluff Minor Mod		20	1
EMS 3T Minor Mod		993	3

Flint Creek 3N Major Mod		710	2
Sloan Valve 3N Minor Mod		395	3
White River RSWMD 3T		752	2

Class 4 Landfill Apps/Mods		Days Pending	Reason Code
City of Conway Major Mod		2674	3
Cleburne Co. Class 4 Major Mod		1371	3
Clark Co. Major Mod		1052	3
NABORS Minor Mod		191	3

Compost Facility Apps/Mods		Days Pending	Reason Code
City of Hot Springs		641	3
C&DRF Apps/Mods		Days Pending	Reason Code
Energy Source		916	8
Tire Processing Facility Apps/Mods		Days Pending	Reason Code
West River Valley Tire Processor		474	1
Transfer Station Apps/Mods		Days Pending	Reason Code
Clark County TS		178	1
WRF Apps/Mods		Days Pending	Reason Code
Jefferson Co. SWRF		621	1
Get Rid of It		481	1

Reason Codes:

1	Conducting Administrative Completeness Review
2	Reviewing Technical Information
3	Awaiting Information from Applicant
4	Awaiting Public Meeting
5	Drafting Draft Permit Decision
6	Awaiting Close of Public Comment Period
7	Drafting Response to Comments
8	Novel Legal Issues
9	Other:

As of:	4/1/2013
State Fiscal Quarter	3

Active No-Discharge Permits

Agriculture	268
Industrial	707
Salt Water Disposal	445
Municipal	52
Domestic	6
Underground Injection Control (UIC)	6

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Permits Pending Greater than 45 Days

<u>Facility</u>	<u>Permit Number</u>	<u>Days Pending</u>	<u>Reason Code and Comments below</u>
Treasure Isle R.V.	1664-WR-2	1155	2
L&R Dairy	3732-WR-1	185	2
Midway Boar Farm	4430-WR-1	185	2
Midway Isolation Farm	4473-WR-1	185	2
Mississippi County Landfill	5091-WR-1	104	2
J & B Mobile Home Park	5185-W	147	2
Henderson Farms	5190-W	68	2
Kruse Meat Products, Inc.	1823-WR-3	62	4
Great Lakes Chemical Corporation - Newell Plant	0655-WR-3	321	4
White River Materials, Inc.	0999-WR-3	153	4
Great Lakes Chemical Corporation - West Plant	1755-WR-6	511	4
Clinton Meat Processing Co.	1897-WR-4	152	4
Albemarle South Brinefield System	2189-WR-7	404	4
Best Western Village Inn	2381-WR-3	150	4
Central Plant	3204-WR-2	322	4
Brine Solids Dewatering Unit	3419-WR-5	390	4
Extraneous Water Treatment System	3532-WR-8	283	4
Cowart Farm	3610-WR-4	115	4
Albemarle West Brinefield System	4007-WR-3	404	4
Primrose Creek Subdivision	4059-WR-3	444	4
Dwayne Davis Farm	4154-WR-4	45	4
J.B. Davis Farm	4392-WR-5	124	4
Gerdau MacSteel	4422-WR-4	151	4
Allens, Inc. - Country Plant	4438-WR-5	181	4
Rose Wastewater Treatment	4470-WR-3	110	4
Southland Septic Service, Inc.	4471-WR-3	94	4
Arkansas Fleet Maintenance Center	4478-WR-3	136	4
Terra Renewal Services	4485-WR-10	143	4
Killingsworth Mobile Home Park	4538-WR-4	145	4
North Little Rock Wastewater Utility	4665-WR-3	181	4
Island at Choctaw Bay	4678-WR-2	125	4
Mountain-Aire Sanitation, Inc.	4679-WR-3	146	4
Terra Renewal Services, Inc.	4691-WR-2	195	4
Sheridan Wastewater Treatment Facility	4694-WR-2	122	4
Midway Oaks Mobile Home Park Laundromat	4698-WR-2	125	4
Heber Springs Wastewater Treatment Plant	4731-WR-2	75	4
Terra Renewal Services, Inc.	4823-WR-7	46	4

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Institute	4897-WR-1	147	4
Highfill Wastewater Treatment Plant	4911-WR-1	173	4
Joyce Street Cottages	4957-WR-1	125	4
Terra Renewal Services, Inc.	4963-WR-1	187	4
Terra Renewal Services, Inc.	4983-WR-1	159	4
M&M Environmental Oil Field Services	4984-WR-3	143	4
Boone County Jail	4991-WR-1	102	4
Sonstegard Foods of Arkansas	4994-WR-1	143	4
Guy Perkins School District	4995-WR-1	147	4
Arkansas Reclamation Company, LLC	5006-WR-3	139	4
Nucor-Yamato Steel Company	5007-WR-2	151	4
Donald Davis	5023-WR-1	47	4
Arkansas Resources Management	5040-WR-3	131	4
South Plant Brinefield	5048-WR-1	511	4
South Plant Process Water Treatment Unit	5175-W	252	4
FCC Environmental, LLC	5179-WR-1	167	4
Weyerhaeuser Dierks Mill	5182-W	182	4
William (Bud) Beaty	5183-W	167	4
Williams Mobile Home Park	5188-W	91	4
S & S Farms	5189-W	76	4
City of Melbourne Water Utilities	5172-WR-1	164	5
Cowart Farm	4279-WR-1	153	6
Terra Renewal Services, Inc.	4795-WR-4	272	7
Riverbend Park Property Owners Association, Inc.	4970-WR-2	249	7
Washington County Improvement District. No. 1	5135-W	572	7
Saddlebock Brewing LLC	5166-W	313	7
Cossatot River High School	5178-W	229	7
FutureFuel Chemical Company	5082-W	1069	9

1	Reviewing Technical Information
2	Waiting on information from Applicant
3	App. complete; Waiting on close of 1st public comment period
4	1st comment period complete; Draft permit pending issuance
5	Draft permit issued; waiting on 30-day comment period
6	Waiting on proof-of-publication of draft permit
7	Final Permit in routing/being prepared
8	Waiting on AOGC Authority letter
9	Other (i.e. legal, no response from applicant, etc.)

As of:	4/1/2013
State Fiscal Quarter	3

NPDES Permits/Category

Individual Permits	
Municipal	359
Industrial	440
Stormwater Permits	
Construction	843
Industrial	1928
Small Municipal Separate Storm Sewer System (MS4)	46
Individual	1
General Permits	
Landfill	35
Non-Contact Cooling Water	9
Aggregate Facilities	44
Individual Treatment	148
Concentrated Animal Feeding Operations	1
Water Treatment	127
Hydrostatic Testing	33
Car Wash	15
Ground Water	9
Pesticide	82
Total	4120

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Arkansas Department of Environmental Quality
Section 38 Report, Water Division, Q3 SFY 2013
Permit Applications > 45 Days

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Permits Pending- By Category/Facility

Q3 SFY 2013

Permit Number	Owner Name	Facility Name	Days Pending	Reason Code and Comments below
AR0000388	Entergy Arkansas, Inc.	Ritchie Plant	117	2
AR0000680		Great Lakes Chemical Corporation - South Plant	208	2
AR0001163		Remington Arms Company, LLC	208	2
AR0001511		Gerber Products Company	229	2
AR0020125C		City of Perryville	111	2
AR0020125M		City of Perryville	111	2
AR0020222	U.S. Army Corps of Engineers	Iron Mountain Recreation Area, DeGray Lake	249	2
AR0020231	U.S. Army Corps of Engineers	Shouse Ford Recreation Area, DeGray Lake	249	2
AR0021431		City of Dewitt	123	2
AR0021601		Searcy Wastewater Treatment Facility	259	2
AR0021661C	Cabot Water and Wastewater Commission	Cabot Wastewater Treatment Facility	165	2
AR0021733		City of DeQueen	193	2
AR0021962		City of Gosnell	222	2
AR0022021		West Helena Water Utilities	207	2
AR0022039		West Memphis Wastewater Treatment Facility	144	2
AR0022578		City of Blytheville - South Treatment Facility	269	2
AR0029181	U.S. Fish and Wildlife Service	Greers Ferry National Fish Hatchery	196	2
AR0033715		City of Carthage	241	2
AR0033863		City of Harrisburg	137	2
AR0034347		City of Sheridan	223	2
AR0034371		City of Portland	125	2
AR0034665		City of Atkins - North Wastewater Treatment Facility	125	2
AR0035432	U.S. Army Corps of Engineers	Caddo Drive Recreation Area, DeGray Lake	249	2
AR0035459	U.S. Army Corps of Engineers	Alpine Ridge Recreation Area, DeGray Lake	249	2
AR0035491		City of Lamar	150	2
AR0036013	U.S. Army Corps of Engineers	Arlie Moore Recreation Area, DeGray Lake	249	2
AR0036021	U.S. Army Corps of Engineers	Spillway/Dam Recreation Area, DeGray Lake	249	2
AR0036536		City of Greenbrier	102	2
AR0036749	Arkansas Department of Human Services	Arkadelphia Human Development Center	146	2
AR0037206		City of Mayflower	81	2
AR0037605	Arkansas Department of Parks and Tourism	Lake Queen Wilhelmina State Park	241	2

Arkansas Department of Environmental Quality
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Permits Pending- By Category/Facility

Q3 SFY 2013

Permit Number	Owner Name	Facility Name	Days Pending	Reason Code and Comments below
AR0038458	City of Hope	Pate Creek Wastewater Treatment Plant	132	2
AR0039250C	Arkansas 4-H Foundation	Arkansas 4-H Education Center	66	2
AR0039365		Palestine Water Utility	80	2
AR0039608		City of Horseshoe Bend - Paradise Acres	172	2
AR0040096		City of Wilmar	101	2
AR0040991		Subiaco Waste Water Plant	187	2
AR0041548		City of Fouke	188	2
AR0042293	Harbor South Improvement District No. 1 of Montgomery County	Harbor South Development Property Owners Association	194	2
AR0042781		City of McDougal	173	2
AR0042889	Al's Truck Stop of Malvern, Inc.	d/b/a JJ's Truck Stop, Inc.	180	2
AR0043508		City of Waldo	104	2
AR0045535		Camp Canfield	299	2
AR0046078		Fairfield Bay Wastewater Corporation Grand Isle WWTP	320	2
AR0046612		Brazeale Lumber Company	217	2
AR0046639		Benton County Stone Company, Inc.	80	2
AR0046752		MAPCO Express #3154	146	2
AR0047635M		Albemarle Corporation-West Plant	151	2
AR0048071		Town of Success	221	2
AR0048305		City of Stamps - South Plant	307	2
AR0048402	Johnny Hewitt	LMJ Trailer Park	207	2
AR0048411	Domtar A.W. LLC.	Ashdown Woodyard Wet Deck	82	2
AR0048640		Deltic Timber Corporation	208	2
AR0048658	Paul Harrison	dba Hunters Glen Owners Association	187	2
AR0048950M	Umetco Minerals Corporation	d/b/a Wilson Mine Area	46	2
AR0049786		Town of Bauxite	228	2
AR0049832		Jesse Ferrel Rental Development	103	2
AR0049867		Bedford Falls Mobile Home Park	200	2
AR0049891	Anthony Timberlands, Inc.	Camden Log Yard	208	2
AR0050008		Chicot County Park	158	2
AR0050008C		Chicot County Park	158	2

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Permits Pending- By Category/Facility **Q3 SFY 2013**

Permit Number	Owner Name	Facility Name	Days Pending	Reason Code and Comments below
AR0050539	Pinewood Wastewater, LLC	Pinewood Estates Subdivision	1042	2
AR0050831	Lonoke County Property Owners' Multipurpose Improvement District No. 12 (Mound Lake Subdivision)	Mound Lake II Phase III Wastewater Treatment Plant	236	2
AR0050903	Faulkner County POID- Seven Point Lake Project	Seven Point Lake Subdivision	111	2
AR0052230	Rakko Concrete, LLC	Rakko Ready Mix - Brookland Facility	242	2
AR0052264		Perry County Class 4 Landfill	182	2
AR0052281	South Shore Cottages, LLC	South Shore Cottages, LLC	82	2
AR0052281C	South Shore Cottages, LLC	South Shore Cottages, LLC	94	2
AR0052299	Grand Prairie Bayou Two Public Water Authority	Mt. Tabor Estates Wastewater Treatment Facility	68	2
AR0052299C	Grand Prairie Bayou Two Public Water Authority	Mt. Tabor Estates Wastewater Treatment Facility	68	2
AR0001392	Entergy Operations, Inc.	Arkansas Nuclear One	119	3
AR0050717	Tim P. Tyler	dba Arkansas Water and Wastewater Management Corporation- Eaglebrook Subdivision	245	3
AR0052256		Patterson Hardwoods, Inc.	224	3
AR0000582	Alcoa Inc.	Arkansas Remediation	721	4
AR0000752		El Dorado Chemical Company	2281	4
AR0001171		Great Lakes Chemical Corporation - Central Plant	1726	4
AR0022063		City of Springdale	1651	4
AR0022250		City of Dermott - South Pond	614	4
AR0001635		Smith Fibercast	57	5
AR0001678		U.S. Army Pine Bluff Arsenal	153	5
AR0020303	North Little Rock Wastewater Utility	Faulkner Lake Plant	173	5
AR0021547		City of Hughes	60	5
AR0021628		City of Imboden	60	5
AR0022110		City of Cave City	75	5
AR0033430		Marked Tree Wastewater Treatment Facility	132	5

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Permits Pending- By Category/Facility **Q3 SFY 2013**

Permit Number	Owner Name	Facility Name	Days Pending	Reason Code and Comments below
AR0034941	United States Department of the Interior National Park Service	Buffalo National River- Buffalo Point Lower Plant	67	5
AR0034959	United States Department of the Interior National Park Service	Buffalo National River- Buffalo Point Upper Sewer Plant	67	5
AR0035386		FutureFuel Chemical Company	1762	5
AR0037796	Georgia-Pacific Wood Products South LLC	Gurdon Plywood and Lumber Complex	228	5
AR0038369		City of Austin	75	5
AR0040177	Little Rock Wastewater	Fourche Creek Wastewater Treatment Plant	146	5
AR0042927	Pulaski County Special School District	Auxiliary Service Facility	118	5
AR0043117		Nucor-Yamato Steel Company	298	5
AR0046663		Air Liquide Large Industries U.S. LP	53	5
AR0048461		Del-Tin Fiber, LLC	137	5
AR0049794	Halliburton Energy Services, Inc.	Magcobar Mine Site	82	5
AR0050849	Little Rock Wastewater	Little Maumelle WWTP	125	5
AR0050911		City of Bradford	74	5
AR0050946		London Pollution Control Facility	50	5
AR0000647	Lion Oil Company	El Dorado Refinery	1525	6
AR0021466		City of Alma	196	6
AR0021571		City of Booneville	200	6
AR0034932		City of Mulberry Wastewater Treatment Plant	182	6
AR0035254	City of Horseshoe Bend	White Oak Wastewater Treatment	172	6
AR0037567	Van Buren Municipal Utilities Commission	Lee Creek Industrial Park Treatment Plant	182	6
AR0038466		City of Hope-Bois D'Arc WWTP	346	6
AR0040967	Van Buren Municipal Utilities Commission	Van Buren North Treatment Plant	216	6
AR0042421		City of Fountain Hill	61	6
AR0042439	Nevada School District #1	Nevada High School	207	6
AR0042803		City of Griffithville	182	6

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Permits Pending- By Category/Facility

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Permit Number	Owner Name	Facility Name	Days Pending	Reason Code and Comments below
AR0044938	Ecology Management, Inc.	Wastewater Treatment Facility	286	6
AR0046256		City of Havana Havana Wastewater Treatment Plant	124	6
AR0046680		City of Sulphur Rock	182	6
AR0048054		Quad Hardwood Products, Inc.	269	6

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Permits Pending- By Category/Facility

Q3 SFY 2013

Permit Number	Owner Name	Facility Name	Days Pending	Reason Code and Comments below
AR0049611	Arkansas Electric Cooperative Corporation	Hot Spring Generating Station	516	6
AR0049751		Sheridan White Rock, Inc.	306	6
AR0050296		Lion Oil Company, Great Lake Chemical Corporation, El Dorado Chemical Company, and El Dorado Water Utilities	543	6
AR0052205		Triple B Wood Dealers	325	6
AR0002917	Weyerhaeuser NR Company	Dierks Mill	356	7
AR0002968	Domtar A.W. LLC	Ashdown Mill	510	7
AR0043516		Great Lakes Chemical Corporation - West Plant	306	7
AR0049425	Associated Electric Cooperative, Inc.	Dell Power Plant	556	7
AR0049557	Plum Point Services Company, LLC	Plum Point Energy Station	620	7
AR0052027		G & B Terminal, Inc. and Affiliates	553	7
AR0052086	SEECO, Inc.	Jared Wood Water Reuse/Recycle Facility	361	7
AR0052086C	SEECO, Inc.	Jared Wood Water Reuse/Recycle Facility	361	7
AR0000663		Berry Petroleum, Inc.	187	8
AR0020273		City of Siloam Springs	346	8
AR0021792		City of Berryville	270	8
AR0022373		West Fork Wastewater Treatment Plant	417	8
AR0034321		City of Harrison	362	8
AR0043397		City of Rogers	1008	8
AR0048356	Tyson Foods, Inc.	River Valley Animal Foods	356	8
AR0049743		El Dorado Water Utilities	1993	8
AR0050288	City of Fayetteville	West Side Wastewater Treatment Facility	1025	8
AR0050776		Precoat Metals	286	8

Reason Codes and Comments

1	Waiting for Public Hearing on WQMP
2	Reviewing drafted permit by Management
3	Awaiting Information from Applicant
4	Waiting for EPA approval of WQMP or Permit
5	Preparing Draft Permit Decision
6	Awaiting Close of Public Comment Period or Ready for PN
7	Drafting Response to Comments
8	Other

Memorandum

DATE: April 8, 2013 d
TO: LEGISLATIVE COUNCIL
FROM: TERESA MARKS, DIRECTOR
ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY
RE: SECTION 38 (a) – (e) of ACT 957 OF THE 2011 REGULAR
SESSION OF THE ARKANSAS GENERAL ASSEMBLY

As provided by Section 38 (a) – (e) of Act 957 of the 2011 Regular Session, the Arkansas Department of Environmental Quality (“Department”) presents the number and type of administrative enforcement actions initiated by the Department and the geographic location of each violation. This information is contained in the attached copies of the Public Notice for the period of January 1, 2013 through March 31, 2013. Pursuant to A.C.A. § 8-4-103 (d) (1) the Department is required to Public Notice any administrative enforcement order and the notice must include the type of enforcement action, the geographic location of the violation, and the amount of penalty assessed. (See Attachment) The total number of administrative enforcement actions initiated during this time period is 64.

Additionally the Department is authorized by A.C.A. § 8-4-103 (b) to institute a civil action in any court of competent jurisdiction to compel compliance with state environmental laws and regulations. Following is a list of actions which have been filed in court for the period of January 1, 2013 through March 31, 2013.

Type of Enforcement Action	Defendant	Geographic Location
Civil Complaint	Roy Baker	Baxter County Circuit Court
Civil Complaint	Northwest Paving Co., Inc	Crawford County Circuit Court
Civil Complaint	Rivercliff Golf, LLC and Kelly Ott	Marion County Circuit Court
Civil Complaint	Jennifer K. McMillan and Wear Farm	Pulaski County Circuit Court

The Department presents the total amount of fines and collections from Supplemental Environmental Projects verified by the Department for the period of January 1, 2013 through March 31, 2013.

Civil Penalties Collected	\$182,756.70
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Supplemental Environmental Projects Verified	\$0.00
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CONSENT ADMINISTRATIVE ORDERS

ADM Grain River System, Inc., Phillips County, Air Division, \$10,137.00 Penalty, LIS No. 12-179

B's Bearkat Station Inc., and John R. Miller, II Individually, Izard County, Regulated Storage Tanks Division, \$1,400.00 Penalty, LIS No. 12-137

Consolidated Container Company LP, Crittenden County, NPDES/Water Division, \$450.00 Penalty, LIS No. 12-177 Penalty

H.G. Toler & Son Lumber Company, Inc., Grant County, Air Division, \$1,800.00 Penalty, LIS No. 12-178

SECOND AMENDED CONSENT ADMINISTRATIVE ORDER

Remington Arms Company, LLC, Lonoke County, NPDES/Water Division, Penalty unchanged, LIS No. 07-078-002

AMENDED NOTICE OF VIOLATION

TN AR Materials Corp., Mr. Frank Lacey, Faulkner County, NPDES/Water Division, Proposed Penalty \$1,700.00, LIS No. 12-147-001

Dated this 10th day of January 2013
Teresa Marks, Director
Arkansas Department of Environmental Quality

CONSENT ADMINISTRATIVE ORDERS

Ashland Inc., Pulaski County, Hazardous Waste Division, \$4,500.00 Penalty, LIS No. 13-012

Blackstone Construction, LLC., Pope County, Air Division, \$9,600.00 Penalty, LIS No. 13-002

City of Cotton Plant, Woodruff County, NPDES/Water Division, \$1,500.00 Penalty, LIS No. 13-015

Ingels, Inc., Craighead County, NPDES/Water Division, \$450.00 Penalty, LIS No. 13-004

Little Rock Air Force Base, Pulaski County, Water Division, No Penalty, LIS No. 13-001

Pilgrim's Pride Corporation, d/b/a Premium Protein Products, Pope County, Air Division, \$2,100.00 Penalty LIS No. 13-005

Shiloh Steel Fabricators, Inc., Mr. Chuck Haley, General Manager, Washington County, NPDES/Water Division, \$270.00 Penalty, LIS No. 13-010

Town of Bauxite, Saline County, NPDES/Water Division, \$1,200.00 Penalty, LIS No. 13-011

U.S. Army Pine Bluff Arsenal, Jefferson County, Hazardous Waste Division, \$4,500.00 Penalty, LIS No. 13-003

Unilin Flooring, NC, LLC, Izard County, Regulated Storage Tanks Division, \$3,000.00 Penalty, LIS No. 12-143

NOTICES OF VIOLATION

Eubanks Oil Co., Kevin Eubanks, Registered Agent, Greene County, Regulated Storage Tanks Division, \$1,400.00 Proposed Penalty, LIS No. 13-013

Magness Oil, Benny W. Magness, Baxter County, Regulated Storage Tanks Division, \$6,200.00 Proposed Penalty, LIS No. 13-006

Moore Forest Products, Inc., J.L. Moore Registered Agent, White County, Regulated Storage Tanks Division, Proposed Penalty \$450.00, LIS No. 13-014

Northern Oil Company, M.L. Rache, Registered Agent, Regulated Storage Tanks Division, Pulaski County, \$1,800.00 Proposed Penalty, LIS No. 13-007

Southwestern Bell Telephone Company, The Corporation Company, Registered Agent, Pulaski County, Regulated Storage Tanks Division, \$3,000.00 Proposed Penalty, LIS No. 13-008

Thomas Petroleum, Inc., Mr. Virgil. R. Thomas, Phillips County, Regulated Storage Tanks Division, \$9,200.00 Proposed Penalty, LIS No. 13-009

DEFAULT ADMINISTRATIVE ORDERS

Amanda Harrell Owner, Mr. Ricky Harrell Owner, Harrell Property Sewer System, Pulaski County, NPDES/Water, \$10, 200.00 Penalty, LIS No. 12-044

City of Fisher, Poinsett County, NPDES/Water Division, \$9,792.00 Penalty, LIS No. 12-097

Dated this 25th day of January 2013
Teresa Marks, Director
Arkansas Department of Environmental Quality

CONSENT ADMINISTRATIVE ORDERS

Associated Hygienic Products, LLC, Calhoun County, NPDES/Water Division, \$450.00 Penalty, LIS No. 13-019

City of Mammoth Spring, Fulton County, NPDES/Water Division, \$700.00 Penalty, LIS No. 13-016

Clean Harbors El Dorado, LLC, Union County, Hazardous Waste Division, \$5,500.00 Penalty, LIS No. 13-020

Frost Oil Company, Van Buren, Crawford County, Regulated Storage Tanks Division, \$1,350.00 Penalty, LIS No. 12-154

George Ivory Law Firm, P.A. and George Ivory, Individually, Ouachita County,

Hazardous Waste Division, \$2,125.00 Penalty, LIS No. 11-206

N.E.A. Materials, Inc., Craighead County, NPDES/Water Division, \$270.00
Penalty, LIS No. 13-023

NOTICES OF VIOLATION

Mr. Whitney and Whitworx Fine Metal Finishing, LLC, Hazardous Waste
Division, Washington County, Hazardous Waste Division, Whitworx \$18,500.00
and Mr. Whitney \$8,500.00 LIS No. 13-017

Northeast Arkansas Regional Solid Waste Management District, Greene County,
Regulated Storage Tanks Division, \$2,800.00 Proposed Penalty, LIS No. 13-018

DEFAULT ADMINISTRATIVE ORDERS

Huntsville School District, Madison County, Regulated Storage Tanks Division,
\$2,800.00 Penalty, LIS No. 12-151

NOTICES OF VIOLATION AND PERMIT REVOCATION

Solid Rock Concrete, Inc., Crawford County, NPDES/Water Division, \$450.00
Proposed Penalty, \$440.00 Past Due Permit Fees, LIS No. 13-022

Dated this 10th day of February 2013
Teresa Marks, Director
Arkansas Department of Environmental Quality

CONSENT ADMINISTRATIVE ORDERS

Allstate of Arkansas, Inc., Dallas County, Asbestos/Air Division, \$2,800.00
Penalty, LIS No. 13-031

ALG, Inc., Saline County, NPDES/Water Division, Mining Division, \$3,200.00
Penalty, LIS No. 13-027

Bonanza Creek Energy Resources, LLC, -Dorcheat Gas Processing Plant,
Columbia County, Air Division, \$2,000.00 Penalty, LIS No. 13-033

Construction Waste Management, Inc., Faulkner County, NPDES/Water Division,

\$450.00 Penalty, LIS No. 13-024

Enterprise TE Products Pipeline Company LLC, Pipeline P-31/MilePost 64.80 and 64.85, Lincoln County, Hazardous Waste Division, No Penalty, LIS No. 13-032

Harrod Farms, Inc., Bradley County, Mining Division, \$750.00 Penalty, LIS No. 13-028

NOTICES OF VIOLATION

E-Z Mart Stores, Inc., The Corporation Company, Registered Agent, Washington County, Regulated Storage Tanks Division, \$1,600.00 Proposed Penalty, 13-026

Blue Steel Investments, LLC, F. Mattison Thomas, Registered Agent, Calhoun County, NPDES/Water Division, \$11,500.00 Proposed Penalty, 13-029

NOTICE OF VIOLATION AND PERMIT REVOCATION

Fortis Plastics, LLC, The Corporation Company, Registered Agent, Sebastian County, NPDES/Water Division, \$440.00 Past Due Permit Fees, \$450.00 Penalty LIS No. 13-025

Dated this 25th day of February 2013

Teresa Marks, Director

Arkansas Department of Environmental Quality

CONSENT ADMINISTRATIVE ORDERS

American Fuel Cell and Coated Fabrics Company d/b/a Amfuel, Columbia County, Hazardous Waste Division, \$40,000.00 to ADEQ or \$30,000.00 to ADEQ, \$10,000.00 to Supplemental Environmental Project, if approved, LIS No. 13-043

Bonanza Creek Energy Resources, LLC, Lafayette County, Air Division, \$2,800.00 Penalty, LIS No. 13-036

City of West Fork, Washington County, NPDES/Water Division, \$800.00 Penalty, LIS No. 13-034

Good Earth Horticulture, Inc., Conway County, NPDES/Water Division, \$3,000.00 Penalty, LIS No. 12-109

Harrison School District No. 1,(Bus Garage) 00175, Boone County, Regulated Storage Tanks Division, \$2,600.00 Penalty LIS No. 12-122

Kelly Thomas d/b/a Towing Plus, Washington County, NPDES/Water Division, \$450.00 Penalty, LIS No. 13-040

Mr. Larry Harris, Owner d/b/a Wolf Creek Sand and Gravel Quarry, Pike County, NPDES/Water Division, \$600.00 Penalty, LIS No. 13-037

Northern Oil Company, Pulaski County, Regulated Storage Tanks Division, \$1,800.00 Penalty, LIS No. 13-007

AMENDMENT TO CONSENT ADMINISTRATIVE ORDER
LIS NO. 11-208-001

City of Gravette, Benton County, NPDES/Water Division, No Penalty Change

THIRD AMENDMENT TO CONSENT ADMINISTRATIVE ORDER
LIS NO. 07-078-003

Remington Arms Company, LLC, Lonoke County, NPDES/Water Division, No Penalty Change

NOTICES OF VIOLATION

Cooper Tire & Rubber Company, The Corporation Company, Miller County, NPDES/Water Division, \$14, 400.00 Proposed Penalty, LIS No. 13-039

Cross Church, Inc., d/b/a, First Baptist Church of Springdale, Ben Mays, Washington County, Regulated Storage Tanks Division, \$3,000.00 Proposed Penalty, LIS No. 13-035

NOTICE OF VIOLATION AND PERMIT REVOCATION

Chrisman, Inc., F/K/A Chrisman Ready-Mix Inc., Mr. Ryan Chrisman, Franklin County, Johnson County, and Logan County, NPDES/Water Division, \$2,700.00 Penalty, \$1,100.00 Past Due Permit and Late Fees, LIS No. 13-041

ELECTIVE SITE CLEAN-UP AGREEMENT

Walton's 5&10 Cent Stores, A Partnership Walton's 5&10, LLC, Regarding
Midtown Shopping Center Site, Benton County, Hazardous Waste Division, No
Penalty, LIS No. 13-042

Dated this 10th day of March 2013
Teresa Marks, Director
Arkansas Department of Environmental Quality

CONSENT ADMINISTRATIVE ORDERS

Cargill, Incorporated, Washington County, Air Division, \$1,200.00 Penalty, LIS
No. 13-044

Dean Watts, Individual, Lee County, Asbestos/Air Division, \$2,100.00 Penalty LIS
No. 13-046

Eubanks Oil Co., Inc., Green County, Regulated Storage Tanks Division,
\$1,400.00 Penalty, LIS No. 13-013

Freeman Brothers, Inc., d/b/a Bibler Brothers Lumber Company, Pope County, Air
Division, \$6,400.00 Penalty, LIS No. 13-045

Huntington Foam, LLC, Sebastian County, Air Division, \$3,337.00 Penalty, LIS
No. 13-047

L&N Construction, Inc., d/b/a L&N Quarry, Stone County, Air Division,
\$3,000.00 Penalty, LIS No. 13-048

NOTICE OF VIOLATION AND PERMIT REVOCATION

Champion Parts, Inc., Hempstead County, Air Division, No Penalty, LIS No. 13-
038

Dated this 25th day of March 2013
Teresa Marks, Director
Arkansas Department of Environmental Quality

ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION

QUARTERLY REPORT TO ARKANSAS LEGISLATIVE COUNCIL

ON RULEMAKING ACTIVITIES

Months In Quarter: January, February, March 2013

1. **Regulation Number and Name:** Regulation No. 2, Third-Party Rulemaking, River Valley Regional Water District; Docket No. 06-003-R.

a. **Amendment Proposed By:** River Valley Regional Water District ("RVRWD").

b. **Description:** RVRWD filed its request to initiate rulemaking on January 13, 2006. These amendments concern Regulation No. 2. Proposed changes involve amending Regulation No. 2 to include amending Section 2.304 to establish a procedure by which regional water districts and other public water authorities would be able to request approval from the Pollution Control & Ecology Commission to use a water body designated as extraordinary resource waters as a source of drinking water supply.

The Commission initiated the rulemaking process on January 27, 2006, and no final decision has been made.

c. **Justification:** These amendments establish a procedure by which regional water distribution districts and other public water authorities would be able to request approval from the Arkansas Pollution Control & Ecology Commission to use Extraordinary Resource Waters as a source of drinking water supply.

d. **Economic Impact:** RVRWD states that there will be no cost to the agency. The amendments will have no financial impact on small business.

e. **Environmental Benefit Analysis:** No environmental benefit analysis is required for this regulation.

2. Regulation Number and Name: Regulation No. 11, Regulations of the Arkansas Operating Air Permit Program; Docket No. 12-007-R.

a. Amendment Proposed By: Arkansas Department of Environmental Quality.

b. Description: ADEQ filed its request to initiate rulemaking on July 11, 2012. The proposed amendment incorporates statutory changes passed by the General Assembly that amend various provisions of the Solid Waste Management and Recycling Fund Act, particularly Act 602 and Act 819 of 2011, Act 189 of 2009, and Act 1325 of 2005; establishes regulations for the Computer and Electronic Equipment Recycling and Grant Program; clarifies provisions of the Landfill Post-closure Trust fund; clarifies the recycling grant program timelines and obligations, and makes minor stylistic revisions..

The Commission adopted the minute order initiating the rulemaking process on June 22, 2012, and adopted the amendments on January 25, 2013.

c. Justification: The rule is mostly administrative, however it is expected to provide indirect long-term positive effects on the environment and minimizing waste placed in landfills is crucial through the recycling program and providing mechanisms for proper landfill maintenance is crucial to the environment and human health.

d. Economic Impact: This rulemaking adopts a federal requirement and there will be no impact to the environment in Arkansas that would not have otherwise occurred.

e. Environmental Benefit Analysis: No Environmental Benefit Analysis is required.

3. Regulation Number and Name: Regulation No. 6, Regulation for the State Administration of the National Pollutant Discharge Elimination System (NPDES); Docket No. 12-008-R.

a. Amendment Proposed By: Arkansas Department of Environmental Quality.

b. Description: ADEQ filed its request to initiate rulemaking on August 10, 2012. ADEQ proposes to add several defined terms to Reg.6.103. The new definitions are necessary to understand the requirements found in Reg.6.206 for discharges of pesticides into waters of the State; add Reg.6.206 to provide a permit-by-rule for entities discharging pesticides into waters of the State; delete Reg.6.204(B); and proposes several minor changes to bring the regulation into compliance with the Commission's Regulation Drafting Guidelines.

The Commission adopted the minute order initiating the rulemaking process on August 24, 2012, and adopted the amendments on January 26, 2013.

c. Justification: the regulation must comply with the federal Clean Water Act, 33 U.S.C. 1251 et seq. and regulations promulgated thereunder.

d. Economic Impact: This rulemaking adopts a federal requirement and there will be no impact to the environment in Arkansas that would not have otherwise occurred.

e. Environmental Benefit Analysis: No Environmental Benefit Analysis is required.

4. Regulation Number and Name: Regulation No. 18, Arkansas Air Pollution Control Code; Docket No. 12-009-R.

a. Amendment Proposed By: Arkansas Department of Environmental Quality.

b. Description: ADEQ filed its request to initiate rulemaking on September 14, 2012. ADEQ proposes revisions to Regulation No. 18 in order to implement the United States Environmental Protection Agency's current National Ambient Air Quality Standards ("NAAQS") for PM2.5, PM10, ozone, lead, carbon monoxide, nitrogen dioxide, and sulfur dioxide.

The Commission adopted the minute order initiating the rulemaking process on September 28, 2012, and no final decision has been made.

c. Justification: This proposed rule is necessary to ensure that the Arkansas regulation is not in conflict with federal rules that have been adopted. Also, by revising Regulation No. 18, ADEQ will be able to issue permits for fine particulate matter. Because the National Ambient Air Quality Standard for particulate matter is a health-based standard, this rule change will allow ADEQ to protect human health and the environment from detrimental effects of fine particulate matter.

d. Economic Impact: This rulemaking adopts a federal requirement and there will be no impact to the environment in Arkansas that would not have otherwise occurred.

e. Environmental Benefit Analysis: No Environmental Benefit Analysis is required.

5. Regulation Number and Name: Regulation No. 19, Regulation of the Arkansas Plan of Implementation for Air Pollution Control; Docket No. 12-010-R.

a. Amendment Proposed By: Arkansas Department of Environmental Quality.

b. Description: ADEQ filed its request to initiate rulemaking on September 14, 2012. ADEQ is proposing revisions to Regulation No. 19 in order to implement the Environmental Protection Agency's National Ambient Air Quality Standards ("NAAQS") for PM2.5, PM10, ozone, lead, nitrogen dioxide, and sulfur dioxide. Other proposed changes include revising the definition of "Volatile Organic Compounds" under Chapter 2, including exemptions for propylene carbonate, dimethyl carbonate, and trans-1,3,3,3-tetrafluoropropene (HFO-1234ze) to more closely match the federal definition; removing the reference to 40 C.F.R. Part 50 under Reg.19.301; and revising the definition of "Regulated NSR Pollutant" under Reg.19.903(B), as opposed to incorporating it by reference.

The Commission adopted the minute order initiating the rulemaking process on September 28, 2012, and no final decision has been made.

c. Justification: This proposed rule is necessary to bring Arkansas into compliance with federal rule changes made as the NAAQS have been revised by the EPA. The goal is for sources to find it less difficult to understand permitting requirements. Because the primary NAAQS are health-based standards and secondary NAAQS standards are set to protect public welfare, this rule change will allow ADEQ to protect human health and the environment from detrimental effects caused by NAAQS pollutants. The rule will also satisfy the State's requirements under the Clean Air Act to prevent significant deterioration of air quality in areas of the state designated as "attainment" or "unclassifiable" for each NAAQS.

d. Economic Impact: This rulemaking adopts a federal requirement and there will be no impact to the environment in Arkansas that would not have otherwise occurred.

e. Environmental Benefit Analysis: No Environmental Benefit Analysis is required.

6. Regulation Number and Name: Regulation No. 26, Regulations of the Arkansas Operating Air Permit Program; Docket No. 12-011-R.

a. Amendment Proposed By: Arkansas Department of Environmental Quality.

b. Description: ADEQ filed its request to initiate rulemaking on September 14, 2012. ADEQ proposes to modify this regulation by adding "10 tons per year of PM2.5", a minor permit modification threshold for fine particulate matter (PM2.5), under Reg.26.1002(A).

The Commission adopted the minute order initiating the rulemaking process on September 28, 2012, and no final decision has been made.

c. Justification: Making the proposed amendments will establish a minor permit modification threshold for fine

particulate matter (PM2.5) in Regulation No. 26; will lower the potential cost impacts for those facilities increasing PM2.5 emission by small amounts; and will allow changes to a facility to be implemented more quickly. All other changes to Regulation No. 26 were made as updates, for clarification, and to correct errors.

d. Economic Impact: This rulemaking adopts a federal requirement and there will be no impact to the environment in Arkansas that would not have otherwise occurred.

e. Environmental Benefit Analysis: No Environmental Benefit Analysis is required.

7. Regulation Number and Name: Regulation No. 25, Lead-Based Paint Activities; Docket No. 12-012-R.

a. Amendment Proposed By: Arkansas Department of Environmental Quality.

b. Description: ADEQ filed its request to initiate rulemaking on September 14, 2012. The 2011 Act transferred authority to adopt, administer, and enforce a program for licensing lead-based paint activities, training programs, procedures, and certification requirements from ADEQ to the Arkansas Department of Health.

The Commission adopted the minute order initiating the rulemaking process on September 28, 2012, and no final decision has been made.

c. Justification: The Arkansas Lead-Based Paint-Hazard Act of 2011 renders Regulation No. 25 unenforceable, and removes all authority from ADEQ to oversee activities in Arkansas that are related to lead-based paint.

d. Economic Impact: This rulemaking adopts a federal requirement and there will be no impact to the environment in Arkansas that would not have otherwise occurred.

e. Environmental Benefit Analysis: No Environmental Benefit Analysis is required.

8. Regulation Number and Name: Regulation No. 2, Lion Oil Company Third-Party Rulemaking; Docket No. 13-001-R.

a. Amendment Proposed By: Lion Oil Company.

b. Description: Lion Oil Company ("Lion Oil") filed its request to initiate rulemaking on January 11, 2013. Lion Oil proposes to change the Typical Gulf Coastal Fishery use designation for Loutre Creek; change the selenium water quality criterion for Loutre Creek; change the chloride, sulfate and total dissolved solids ("TDS") criteria for Loutre Creek; change the sulfate and TDS criteria for the next downstream segment of Bayou de Loutre; and change the sulfate criteria for the remaining downstream segments of Bayou de Loutre to the Louisiana State line.

The Commission is waiting on a request by Lion Oil to initiate rulemaking.

c. Justification: These regulatory changes are critically important to Lion Oil. Reasonably available control technology does not exist that would allow Lion Oil to consistently meet these limits. The proposed rule will revise the dissolved minerals and selenium water quality criteria in Loutre Creek and change the fishery use designation for Loutre Creek to a new sub-category of fishery referred to as a Limited Gulf Coastal Fishery. The proposed rule will also revise the chloride, sulfate, and the TDS criteria for one downstream segment in Bayou de Loutre, the sulfate and TDS criteria for the next downstream segment in Bayou de Loutre; and the sulfate criteria for the remaining downstream segments of Bayou de Loutre to the Louisiana State line.

d. Economic Impact: No entities would suffer negative economic impact as a result of the proposed rule.

e. Environmental Benefit Analysis: The proposed rule will revise the chloride, sulfate, TDS, and selenium water quality criteria in Loutre Creek, and change the fishery use designation for Loutre Creek to a new subcategory of fishery referred to as a Limited Gulf Coastal Fishery reflecting the long term historical in-stream concentrations and uses. The proposed rule will also revise the chloride, sulfate, and TDS criteria for one downstream segment in Bayou de Loutre; the sulfate and TDS

criteria for the next downstream segment in Bayou de Loutre; and the sulfate criteria for the remaining downstream segments of Bayou de Loutre to the Louisiana State Line. These changes will not adversely impact the environment.

9. Regulation Number and Name: Regulation No. 30, Arkansas Remedial Action Trust Fund Hazardous substances Site Priority List; Docket No. 13-002-R.

a. Amendment Proposed By: Arkansas Department of Environmental Quality.

b. Description: ADEQ filed its request to initiate rulemaking on January 11, 2013. Proposed changes to Regulation 30 include deleting five sites from the SP: because remedial actions at the locations have been performed to the extent that the sites no longer pose an unacceptable risk to human health or the environment; and transferring one site from the SPL to the National Priority List (NPL), which is administered by the U.S. Environmental Protection Agency.

The Commission adopted the minute order initiating the rulemaking process on January 25, 2013, and no final decision has been made.

c. Justification: Proposed changes to Regulation 30 include deleting five sites from the SP because remedial actions at the locations have been performed to the extent that the sites no longer pose an unacceptable risk to human health or the environment, and transferring one site from the SPL to the National Priority List (NPL) which is administered by the U.S. Environmental Protection Agency.

d. Economic Impact: This rulemaking adopts a federal requirement and there will be no impact to the environment in Arkansas that would not have otherwise occurred.

e. Environmental Benefit Analysis: No Environmental Benefit Analysis is required.

10. Regulation Number and Name: Regulation No. 2, Regulations Establishing Water quality Standards for Surface Waters of the State of Arkansas; Docket No. 13-003-R.

a. Amendment Proposed By: Arkansas Department of Environmental Quality.

b. Description: ADEQ filed its request to initiate rulemaking on January 30, 2013. The Clean Water Act requires states to review their water quality standards on a triennial basis and to amend those standards as necessary.

The Commission adopted the minute order initiating the rulemaking process on February 22, 2013, and no final decision has been made.

c. Justification: The proposed changes are necessary to ensure that existing uses and designated uses for waters of the State are protected and maintained.

d. Economic Impact: This rulemaking adopts a federal requirement and there will be no impact to the environment in Arkansas that would not have otherwise occurred.

e. Environmental Benefit Analysis: No Environmental Benefit Analysis is required.

11. Regulation Number and Name: Regulation No. 19, Regulations of the Arkansas Plan of Implementation for Air Pollution Control; Docket No. 12-012-R.

a. Amendment Proposed By: Arkansas Department of Environmental Quality.

b. Description: ADEQ filed its request to initiate rulemaking on February 8, 2013. The substantive proposed changes to Regulation 19 are necessary to implement plantwide applicability limitations ("PALS") for greenhouse gas ("GHG") emissions and conform Regulation 19 to federal regulations adopted by the U.S. Environmental Protection Agency ("EPA") last year.

The Commission adopted the minute order initiating the rulemaking process on February 22, 2013, and no final decision has been made.

c. Justification: Adoption of the proposed revisions to Regulation 10 will reduce the administrative burden on ADEQ and will streamline the air permitting process for large facilities subject to GHG permitting.

d. Economic Impact: This rulemaking adopts a federal requirement and there will be no impact to the environment in Arkansas that would not have otherwise occurred.

e. Environmental Benefit Analysis: No Environmental Benefit Analysis is required.

4/5/13

Date

Charles L. Moulton

Charles Moulton
Administrative Hearing Officer
Arkansas Pollution Control and
Ecology Commission

ADEQ REVENUE FROM AIR, WATER & SOLID WASTE PERMIT FEES

Figures generated from ADEQ Permit Data System. Date range = 1-01-2013 to 03-31-13

[illegible]

	4	Class IV Landfill	\$ 3,500 7					\$ 3,500 7
	CD/RF	Construction & Demolition Waste Recovery (Solid Waste CDRF)						\$ - 0
	CL	Closed Facility (Solid Waste CL)						\$ - 0
	CO	Composting Organic Waste (Solid Waste CO)	450 1					\$ 450 1
	CY	Composting Yard Waste (Solid Waste CY)	\$ 1,350 3					\$ 1,350 3
	LC	Late Charge (Solid Waste LC)						\$ - 0
	P	Postclosure Fee (Solid Waste P)	\$ 1,500 3					\$ 1,500 3
	TS	Transfer Station or MRF	\$ 9,450 21					\$ 9,450 21
	WR	Solid Waste Recovery	\$ 1,350 3					\$ 1,350 3
SOLID WASTE TOTAL		Total	44,600 44	0 0	0 0	7,000 2	0 0	51,600 46
WATER - NPDES								
	N-A	NPDES Agricultural (Minor With Toxic)	\$ 65,965 7					\$ 65,965 7
	N-B	NPDES Saltwater (Minor Without Toxic)	\$ 187,430 127	\$ 2,212 2				\$ 189,642 129
	N-C	NPDES Cooling Water						\$ - 0
	N-G	NPDES Coal Mining (converted)						\$ - 0
	N-G2	NPDES Coal Mining						\$ - 0

N-G3	NPDES Sanitary Landfill Run-off	\$ 2,000 5						\$ 2,000 5
N-G5	NPDES Bulk Petroleum Storage							\$ - 0
N-G6	NPDES Individual Home Treatment	\$ 2,070 11						\$ 2,070 11
N-G7	NPDES Water Plant Backwash Filter	\$ 11,200 28	\$ 400 1					\$ 11,600 29
N-G8	NPDES Pipeline Hydrostatic Test	\$ 200 1	\$ 1,600 8					\$ 1,800 9
N-G9	NPDES Car/truck Wash Facility	\$ 800 4						\$ 800 4
N-GA	Ground Water Clean-Up (Water-NPDES GA)							\$ - 0
N-GB	Laundromat (Water-NPDES GB)							\$ - 0
N-GC	Sand and Gravel (Water-NPDES GC)	\$ 2,000 10	\$ 400 2					\$ 2,400 12
N-GD	Concentrated Animal Feedlot Operation (Water-NPDES GD)		\$ 200.00 1					\$ 200 1
N-GE	Cooling Towers; Tower & Boiler Blowdown (Water-NPDES GE)							\$ - 0
N-GF	Pesticides (Water-NPDES)	\$ 600 3						\$ 600 3
N-J	NPDES Major Non-municipal, MRAT >= 100	\$ 60,000 4						\$ 60,000 4
N-K	NPDES Major Non-municipal, MRAT 80-100	\$ 22,000 2						\$ 22,000 2
N-L	NPDES Discretionary Major	\$ 22,000 2						\$ 22,000 2

	LC	Late Charge(Water-NPDES LC)	\$ 3,985 21						\$ 3,985 21
	LS	Late Charge (Storm Water)	\$ 1,140 57						\$ 1,140 57
	N-M	NPDES Major Municipal	\$ 119,424 14						\$ 119,424 14
	NO-EX	No-Exposure Certification (Water-NPDES)	\$ 12,650 64	\$ 1,600 8					\$ 14,250 72
	N-O	NPDES Minor Aquatic Animal Prod	\$ 2,500 1						\$ 2,500 1
	N-P	NPDES Minor Variable Discharge	\$ 5,400 18	\$ 300 1					\$ 5,700 19
	N-Q	NPDES Construction Permit		\$ 3,000 6					\$ 3,000 6
	N-R1	NPDES Stormwater Manufacturing	\$ 59,096 299	\$ 5,600 28					\$ 64,696 327
	N-R2	NPDES Stormwater Construction	\$ 29,283 147	\$ 15,800 79					\$ 45,083 226
	R4	NPDES Stormwater: MSF Phase II	\$ 200 1						200 1
									0
WATER NPDES TOTAL		Total	609,943 826	31,112 136	0 0	0 0	0 0	0 0	641,055 962
STATE WATER PERM	ST	Short-Term Authorization							\$ - 0
	S-D	Confined Animal or Small Sep	\$ 15,450 78	\$ 600 3					\$ 16,050 81
	S-E	State Permits Branch Commercial or Industrial	\$ 20,042 42	\$ 1,500 3					\$ 21,542 45
	S-F	Industrial Sludge App							\$ - 0
	S-G1	State Permits Branch Confined Animal Feedlot							\$ - 0

	GP	Oil & Gas Pits							\$ - 0
	S-H	Salt Water Disposal (SPB H)	\$ 21,479 87	\$ 1,750 7		\$ 1,250 5			\$ 24,479 99
	GLA	Oil & Gas Land Application							\$ - 0
	S-I	POTW Non-NPDES Land App	\$ 500 1						\$ 500 1
	LC	Late Charge(Water-SPB LC)	\$ 400 18						\$ 400 18
	Z	Interim Authority (Water-SPB Z)							\$ - 0
	ST	Short-Term Authorization (Water-SPB ST)					\$ 20,600 68	\$ 20,600 68	
WATER - STATE PERMIT TOTALS		Total	\$ 57,871 \$ 226	\$ 3,850 \$ 13	\$ - \$ -	\$ 1,250 \$ 5	\$ - \$ -	\$ 20,600 \$ 68	\$ 83,571 \$ 312
	U-1	State Permits Branch UIC - Class I	\$ 15,000 1						\$ 15,000 1
	Z	Interim Authority							\$ - 0
UIC TOTALS		Total	\$ 15,000 1	\$ - 0	\$ - 0	\$ - 0	\$ - 0	\$ 15,000 1	
TOTAL		Total	\$ 1,899,155 1,366	\$ 46,277 162	\$ - 0	\$ 35,347 55	\$ - 0	\$ 20,600 68	\$ 2,001,379 1,651

ADEQ REVENUE FROM PERMIT FEES AND LICENSES

All figures generated 04-01-13, based on active invoices. Date range = 1-01-2013 to 03-31-2013

Invoice Identifier	Fee Code	Description	Fund	Collections
RST - Tank Installer Licenses	RST	Tank installer licenses	SRS0000	\$ 5,875.00
TKS - Storage Tank Fees	TKS	Storage Tank Fees		\$ 25,235.00
UST - Exam Fees	UST	Underground Storage Tank Exam Fees		\$ 3,500.00
ASB - Asbestos Licenses	ASB	Asbestos Licenses	SAC0000	\$ 27,470.00
LED - Individual Licenses - Lead	LED	Individual Licenses	MPL0000	\$ -
CCL - Contractors Licenses - Lead	CCL	Contractors Licenses	MPL0000	\$ -
			SAC0000	\$ 51,650.00
HWD - HW Permits	HWD	Hazardous Waste Permits	SHW0000	\$ 147,566.06
			MEE0000	\$ 225.00
			THS0000	\$ 2,025.00
TRF - Transfer Facilities	TRF	Transfer Facilities	SHW0000	\$ -
HWL- HW Licenses	HWL	HW Licenses		\$ 825.00
SFF - Superfund	HWD	Superfund permit fees	THS0000	\$ -
			MEE0000	\$ -
LAB - Lab Certification Fees	LAB	Lab Certification Fees	HMA0100	\$ 20,610.00
MPS - Mining Fees	MPS	Non-coal mining permit Fees	HMA0100	\$ 3,760.80
		Coal Mining Permit Fees	MAF0000	\$ 300.00
		Quarry Permit Fees	TLR0000	\$ 1,250.00
MBL - Mining Fees	MBL	Blaster Permits	MAF0000	\$ 10.00
DCO - Dump Control Officers	DCO	Dump Control Officer Licenses	TPE0000	\$ -
SWL - Sanitary Landfill Operators	SWL	Sanitary Landfill Operator Licenses		\$ 4,440.00
TTL - Waste Tire Licenses	TTL	Waste Tire Licenses		\$ 3,275.00
TPF - Waste Tire Facilities	TPF	Waste Tire Facilities		\$ 850.00
MER - Mercury Switches	MER	Mercury Switches	TWS0100	\$ 1,878.00
SWF - Municipal Landfills	SWF	Municipal Landfill Fees	TWS0100	\$ 314,168.69
			TWS0200	\$ 942,506.10
			TWS0300	\$ 802,140.02
ILF - Industrial Landfills	ILF	Industrial Landfill Fees	TWS0100	\$ 3,920.16
			TWS0200	\$ 11,554.18
			SMB0000	\$ 5,158.11
WWL - Wastewater Licenses	WWL	Waste Water Operator Licenses	MWW0000	\$ 8,020.00
Total				\$ 2,388,212.12