



January 13, 2014

Sen. Bill Sample, Co-Chair
Rep. John Edwards, Co-Chair
Arkansas Legislative Council
Room 315, State Capitol Building
Little Rock, AR 72201

Dear Sen. Sample & Rep. Edwards:

As required in Act 1202 of 2013, 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 October 1, 2013 through December 30, 2013. If you have any questions, please contact Karen Bassett at (501) 682-0959.

Sincerely,

A handwritten signature in black ink that reads "Teresa Marks". The signature is fluid and cursive, with the first name "Teresa" and last name "Marks" clearly distinguishable.

Teresa Marks
Director

Enclosure

AIR DIVISION

As of:	1/1/2014
State Fiscal Quarter	2nd FY2014
Air Permits/Category	
Major Title V	199
Minor	1049

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Permits Pending- By Category/Facility

TITLE V				
CSN	DATE APP	FACILITY	Days	Reason Code
1600002	3/10/2008	Acme Brick - Wheeler Plant	2123	2
3500017	4/22/2008	Graphic Flexible Packaging, LLC	2080	5
7000037	9/10/2008	Great Lakes Chemical Corporation - South Plant	1939	5
7000037	2/27/2009	Great Lakes Chemical Corporation - South Plant	1769	5
5500017	4/2/2009	Bean Lumber Company, Inc.	1735	8
7000037	7/13/2009	Great Lakes Chemical Corporation - South Plant	1633	5
7000037	8/7/2009	Great Lakes Chemical Corporation - South Plant	1608	5
4700202	10/6/2009	Nucor-Yamato Steel Company	1548	3
5500017	11/3/2009	Bean Lumber Company	1520	8
3500017	11/16/2009	Graphic Flexible Packaging, LLC	1507	5
7000012	1/28/2010	Great Lakes Chemical Corporation - Central Plant	1434	5
0400213	3/31/2010	Preformed Line Products Company	1372	5
7000037	4/2/2010	Great Lakes Chemical Corporation - South Plant	1370	5
7000012	5/3/2010	Great Lakes Chemical Corporation - Central Plant	1339	5
7000012	7/8/2010	Great Lakes Chemical Corporation - Central Plant	1273	5
7000012	7/16/2010	Great Lakes Chemical Corporation - Central Plant	1265	5
4700202	7/28/2010	Nucor-Yamato Steel Company	1253	3
4700202	8/31/2010	Nucor-Yamato Steel Company	1219	3
7000037	11/12/2010	Great Lakes Chemical Corporation - South Plant	1146	5
4700202	1/5/2011	Nucor-Yamato Steel Company	1092	3
7000012	1/28/2011	Great Lakes Chemical Corporation - Central Plant	1069	5
4700202	2/25/2011	Nucor-Yamato Steel Company	1041	3
3500017	2/28/2011	Graphic Flexible Packaging, LLC	1038	5
6000302	4/19/2011	University of Arkansas for Medical Services (UAMS)	988	5
7000012	4/25/2011	Great Lakes Chemical Corporation - Central Plant	982	5
7000012	5/10/2011	Great Lakes Chemical Corporation - Central Plant	967	5
7000016	5/27/2011	Lion Oil Company	950	5
7000012	7/11/2011	Great Lakes Chemical Corporation - Central Plant	905	5
0700035	8/1/2011	Aerojet - General Corporation	884	5
0700035	8/18/2011	Aerojet - General Corporation	867	5
6000003	9/30/2011	3M Industrial Mineral Products Division	824	2
0200028	10/18/2011	Georgia Pacific Chemicals LLC	806	2
7000012	10/28/2011	Great Lakes Chemical Corporation - Central Plant	796	5
0200028	11/15/2011	Georgia Pacific Chemicals LLC	778	5
4700202	11/23/2011	Nucor-Yamato Steel Company	770	3
7000016	12/14/2011	Lion Oil Company	749	5
3500025	12/16/2011	Planters Cotton Oil Mill, Inc.	747	7
0200028	12/19/2011	Georgia Pacific Chemicals LLC	744	2
6001071	12/20/2011	City of Little Rock - Solid Waste Facility	743	5

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6000302	1/13/2012	University of Arkansas for Medical Services (UAMS)	719	5
3500017	1/20/2012	Graphic Flexible Packaging, LLC	712	5
6000302	2/22/2012	University of Arkansas for Medical Services (UAMS)	679	5
3500017	3/1/2012	Graphic Flexible Packaging, LLC	671	5
7000012	3/6/2012	Great Lakes Chemical Corporation - Central Plant	666	5
3500017	3/8/2012	Graphic Flexible Packaging, LLC	664	5
6000438	3/8/2012	Waste Management of Arkansas, Inc. (Two Pine Landfill)	664	2
3500016	3/12/2012	Evergreen Packaging	660	5
0700035	3/16/2012	Aerojet - General Corporation	656	5
7000016	4/5/2012	Lion Oil Company	636	5
5400120	5/2/2012	Enable Gas Transmission, LLC (Helena Compressor Station)	609	7
0700035	5/21/2012	Aerojet - General Corporation	590	5
4700202	5/25/2012	Nucor-Yamato Steel Company (Limited Partnership)	586	3
0200013	6/4/2012	Georgia-Pacific LLC (Crossett Paper Operations)	576	7
3500017	6/8/2012	Graphic Flexible Packaging, LLC	572	5
4700202	6/13/2012	Nucor-Yamato Steel Company (Limited Partnership)	567	3
6000003	7/3/2012	3M Company (3M Industrial Mineral Products Division)	547	2
3500016	7/9/2012	Evergreen Packaging, Inc. (Pine Bluff Mill)	541	5
5800014	7/11/2012	Freeman Brothers, Inc. (Bibler Brothers Lumber Company)	539	5
0200028	8/6/2012	Georgia-Pacific Chemicals LLC	513	2
0100008	8/10/2012	Riceland Foods, Inc. (Soy Division)	509	5
3500016	8/16/2012	Evergreen Packaging, Inc. (Pine Bluff Mill)	503	5
4700202	8/24/2012	Nucor-Yamato Steel Company (Limited Partnership)	495	3
4700115	9/12/2012	Viskase Companies, Inc.	476	5
7000012	9/19/2012	Great Lakes Chemical Corporation (Central Plant)	469	5
0700035	9/19/2012	Aerojet - General Corporation	469	5
7400024	10/1/2012	Arkansas Electric Cooperative Cooperation (Carl E Bailey)	457	5
3500017	10/16/2012	Graphic Flexible Packaging, LLC	442	5
1000005	10/22/2012	Georgia-Pacific Wood Products South LLC (Gurdon Plywood)	436	7
7000016	10/26/2012	Lion Oil Company	432	5
3600004	11/13/2012	Acme Brick Company (Clarksville Eureka Brick Plant)	414	2
3900023	11/26/2012	U.S. Army Corps of Engineers - W.G. Huxtable Pumping I	401	3
6600219	1/9/2013	Saint-Gobain Ceramics & Plastics, Inc.	357	5
3500016	1/23/2013	Evergreen Packaging, Inc. (Pine Bluff Mill)	343	5
3500016	1/25/2013	Evergreen Packaging, Inc. (Pine Bluff Mill)	341	5
2400071	2/11/2013	SourceGas Arkansas Inc. (Drake Compressor Station)	324	7
4700202	2/19/2013	Nucor-Yamato Steel Company (Limited Partnership)	316	3
7000012	3/6/2013	Great Lakes Chemical Corporation (Central Plant)	301	5
7000039	3/11/2013	Martin Operating Partnership L.P.	296	7
3500017	3/21/2013	Graphic Flexible Packaging, LLC	286	5
4700202	4/5/2013	Nucor-Yamato Steel Company (Limited Partnership)	271	3
3000008	4/9/2013	Acme Brick (Perla Plant)	267	2
7000016	4/17/2013	Lion Oil Company	259	5
2600022	4/17/2013	Triumph Fabrications-Hot Springs, LLC	259	7
7000016	4/18/2013	Lion Oil Company	258	5
6600219	4/18/2013	Saint-Gobain Ceramics & Plastics, Inc.	258	5
4100002	4/18/2013	Domtar A.W. LLC (Ashdown Mill)	258	7
6000689	4/24/2013	Arkansas Children's Hospital	252	5
6000689	4/24/2013	Arkansas Children's Hospital	252	5
7000473	4/29/2013	Anthony Forest Products Company	247	3
3500017	5/1/2013	Graphic Flexible Packaging, LLC	245	5
2900506	5/3/2013	American Electric Power Services Corporation (John W. T	243	3
7000101	5/3/2013	Great Lakes Chemical Corporation (West Plant)	243	6
7100315	5/8/2013	DeSoto Gathering Company, LLC (Gravel Hill CPF-2)	238	2
1500001	5/10/2013	Green Bay Packaging Inc. (Arkansas Kraft Division)	236	5

4600150	5/17/2013	Natural Gas Pipeline Company of America LLC (Station 3	229	6
3500016	5/22/2013	Evergreen Packaging, Inc. (Pine Bluff Mill)	224	5
3500016	6/3/2013	Evergreen Packaging, Inc. (Pine Bluff Mill)	212	5
7000400	6/3/2013	Enterprise Refined Products Company, LLC (El Dorado T	212	6
7200144	6/7/2013	Waste Management of Arkansas, Inc. - Eco-Vista, LLC	208	2
3500017	6/18/2013	Graphic Flexible Packaging, LLC	197	5
6000003	6/20/2013	3M Company (3M Industrial Mineral Products Division)	195	2
7000012	6/27/2013	Great Lakes Chemical Corporation (Central Plant)	188	5
3200042	6/28/2013	Entergy Arkansas, Inc. (Independence Plant)	187	3
3500110	6/28/2013	Entergy Arkansas, Inc. (White Bluff Plant)	187	3
7500009	7/2/2013	Deltic Timber Corporation (Ola)	183	5
1400037	7/3/2013	Deltic Timber Corporation (Waldo Mill)	182	2
7000101	7/5/2013	Great Lakes Chemical Corporation (West Plant)	180	6
0100008	7/24/2013	Riceland Foods, Inc. (Soy Division)	161	5
7500046	7/29/2013	Waste Management of Arkansas (Ozark Ridge Landfill)	156	2
4500008	7/31/2013	Fishing Holdings, LLC (Wood Manufacturing Company, I	154	2
3100023	8/7/2013	Husqvarna Forestry Products N.A., Inc.	147	5
6600219	8/9/2013	Saint-Gobain Ceramics & Plastics, Inc.	145	5
7000013	8/12/2013	West Fraser, Inc. (Huttig Mill)	142	2
2400094	8/15/2013	Source Gas of Arkansas (Sells Compressor Station)	139	2
7000473	8/20/2013	Anthony Forest Products Company	134	3
4100001	8/20/2013	Ash Grove Cement Company	134	5
4000041	8/28/2013	Enable Mississippi River Transmission, LLC (Glendale C	126	2
0300081	8/28/2013	Challenger, Inc. (Bass Cat Boats & Yar-Craft Boats)	126	2
1600412	9/3/2013	Jonesboro City Water and Light	120	5
2900506	9/9/2013	American Electric Power Services Corporation (John W. T	114	3
6000617	9/10/2013	Dassault Falcon Falcon Jet Corp.	113	2
2400092	9/13/2013	SEECO, Inc. (Stockton Compressor Station)	110	6
2600022	9/17/2013	Triumph Fabrications-Hot Springs, LLC	106	2
2000058	9/19/2013	Ray White Lumber Company	104	6
1500573	9/20/2013	DeSoto Gathering Company (SE Rainbow CPF-2)	103	2
7200144	9/25/2013	Eco-Vista, LLC	98	2
2400090	10/7/2013	Source Gas Arkansas Inc. (Davis Compressor Station)	86	6
5000058	10/14/2013	Texas Eastern Transmission, LP (Hope Compressor Statio	79	2
2400083	10/14/2013	Ozark Gas Transmission, LLC (Noark Compressor Station	79	2
0200028	10/17/2013	Georgia-Pacific Chemicals LLC	76	2
1400028	10/18/2013	Albemarle Corporation (South Plant)	75	2
4700233	10/21/2013	Nucor Corporation (Nucor Steel, Arkansas)	72	6
3500016	10/23/2013	Evergreen Packaging, Inc. (Pine Bluff Mill)	70	5
4700461	10/28/2013	Plum Point Services Company, LLC (Plum Point Energy S	65	3
0200013	11/8/2013	Georgia-Pacific LLC (Crossett Paper Operations)	54	2
2800256	11/14/2013	American Railcar Industries, Inc. (Marmaduke)	48	2
MINOR				
CSN	DATE APPLICATI	FACILITY	Days	Reason Code
7201976	40945	Oil Harvest, LLC	695	
0402129	41085	Good Wood, Inc. (Good Wood Shavings & Rice Hulls)	555	6
4200238	41120	Enable Mistream Partners, LP - (Brownsville Compressor	520	5
4700012	41124	Kinder Morgan Operating L.P. "C" (Blytheville Terminal)	516	2
8800614	41156	GS Roofing Products Company, Inc. d/b/a CertainTeed	484	5
0700022	41212	Lockheed Martin Corporation (Lockheed Martin Missiles &	428	5
7301102	41261	Fayetteville Gathering Company (White Compressor Statio	379	9
8801007	41264	Rogers Group, Inc. (Portable Plant #1)	376	5
8800986	41317	McGeorge Contracting, Inc. (Granite Mountain Quarries P	323	5
5800002	41337	Entergy Arkansas Inc. (Entergy-Arkansas Nuclear One)	303	5
0700010	41337	Baker Hughes Oilfield Operations, Inc.	303	6
0700022	41381	Lockheed Martin Corporation (Lockheed Martin Missiles &	259	5

3500016	41397	Evergreen Packaging, Inc. (Pine Bluff Mill)	243	5
6600675	41400	Military Department of Arkansas-Fort Chaffee Maneuver T	240	2
8800605	41400	White River Materials, Inc.	240	2
6600081	41407	Acme Brick Company (Ft Smith Plant)	233	2
1800077	41409	Newberry Tanks & Equipment, LLC	231	2
4700012	41416	Kinder Morgan Operating L.P. "C" (Blytheville Terminal)	224	5
5400429	41416	United Initiators SPI, Inc.	224	1
6600357	41418	Pernod Ricard USA Bottling, USA	222	3
0800002	41430	Tyson Foods, Inc. (Berryville Processing)	210	7
7400295	41436	Triminerail Industrial LLC (Sinomax Rubber Recycling)	204	2
2100067	41452	TransMontaigne Operating Company, L.P. (Arkansas City	188	2
2300004	41463	IC Bus, LLC	177	5
0100495	41466	Timber Producers, LLC	174	6
6600806	41477	Graphic Packaging International, Inc.	163	9
6601707	41480	D P Electronic Recycling, Inc.	160	4
1700076	41486	Oxane Materials, Inc.	154	5
1800230	41495	Stateside Steel & Wire, LLC	145	2
7300020	41502	Matthews International Corporation	138	2
6200118	41509	Federal Bureau of Prisons - Federal Correctional Complex	131	2
0500022	41535	Wabash Wood Products, Inc.	105	6
0400255	41536	Superior Industries International Arkansas, LLC	104	9
1900410	41544	Kool Metal Recycling LLC	96	6
7500051	41547	Pet Solutions, LLC	93	7
7300142	41547	Enterprise Refined Products Company, LLC (McRae Term	93	6
5000006	41547	Firestone Building Products Company, LLC	93	6
0700022	41549	Lockheed Martin Corporation (Lockheed Martin Missiles &	91	5
1800920	41550	Cargill, Incorporated (West Memphis Elevator)	90	2
0500080	41562	Pace Industries, Inc. (Harrison Division)	78	6
0500080	41562	Pace Industries, Inc. (Harrison Division)	78	6
6300164	41563	Alumina Ceramics, Inc.(CoorsTek Arkansas Operations, B	77	3
1700043	41564	Bekaert Corporation	76	2
1700043	41564	Bekaert Corporation	76	2
1500642	41565	Fayetteville Gathering Company (Hattievill Compressor S	75	2
4700012	41565	Kinder Morgan Operating L.P. "C" (Blytheville Terminal)	75	2
7001302	41569	E. I. Du Pont De Nemours And Company (El Dorado Plant	71	1
4300024	41569	Remington Arms Company, LLC	71	5
6000781	41572	PPG Industries, Inc.	68	6
2900125	41575	Momentive Specialty Chemicals Inc.	65	5
0300200	41575	Shawnee Boats, Inc.	65	6
2900125	41575	Momentive Specialty Chemicals Inc.	65	5
1000104	41577	Container Life Cycle Management LLC	63	3
0400255	41577	Superior Industries International Arkansas, LLC	63	2
0100228	41578	Riceland Foods, Inc. (Ash Storage Site)	62	2
6600472	41583	APAC-Central (Jenny Lind Quarry)	57	3
6000915	41584	Kimberly-Clark Corporation - Maumelle Facility	56	6
1400209	41584	Hixson Lumber Sales, Inc.	56	5
0800002	41584	Tyson Foods, Inc. (Berryville Processing)	56	9
7300020	41585	Matthews International Corporation	55	2
6300094	41585	Rineco Chemical Industries, Inc.	55	6
5700001	41586	Nidec Motor Company	54	2
6400001	41590	Tyson Foods, Inc. (Waldron)	50	2
5400013	41590	ADM Grain River Systems, Inc. (ADM Grain Company)	50	3

		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:	12/23/2013
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State Fiscal Quarter	Second
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Hazardous Waste Management Permits

Post-Closure:	5
Hazardous Waste Management:	12

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Applications Pending	2
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Type/Name	Permit No.	Days Pending	Reason Code
Permit Modification/Armtec/Contingency Plan Update	26H-RN1	95	2
Permit Modification/Rineco/Shredder M-106	28H-RN1	91	6
Permit Modification/Lockheed/Contingency Plan Update	27H-RN1	3	1 & 2

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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: 12/31/2013

State Fiscal Quarter 2nd FY14

Mining Division Permits/Category

Coal Mining		Open-Cut Mining	
Active	5	Sand and Gravel	151
Exploratory		Clay	35
		Shale	19
		In-Stream	2
		Soil	45
		Other	10
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
Ouro Mining		176	3
OPEN-CUT MINING		Days Pending	Reason Code
Hill Country Ltd		166	5
Harry Cleamons		112	5
Ozark Premium Sand		92	3
Arkansas Best Top Soil		92	3
Drum Sand and Gravel		83	8
Cossatot Rock		62	3

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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: 12/31/2013

State Fiscal Quarter 2

Solid Waste Management Permits/Category

Class 1 Landfills	32
Class 3 Landfills	28
Class 4 Landfills	36
Compost Facilities	19
CDMRF	0
Tire Processing Facilities	10
Transfer Station/WRFs	91

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Permits Pending- By Category/Facility

Class 1 Landfill Apps/Mods	Days Pending	Reason Code
WCA - Rolling Meadows Expansion Major Mod	2342	3
Mississippi Co. Class 1 Major Mod	974	3
WCA Union Co. Class 1 Major Mod	697	3
WM Eco-Vista Major Mod	350	3
WM Ozark Ridge Minor Mod	636	3
WM Jefferson Co. Minor Mod	607	3
Ashley Co. Class 1 Admin. Permit Mod	46	1

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Class 3 Landfill Apps/Mods	Days Pending	Reason Code
Albemarle - South Plant	357	5
Entergy Independence Major Mod	2588	3
Entergy White Bluff Major Mod	1691	3
EMS 3T Minor Mod	1268	5
Flint Creek 3N Major Mod	985	3
Sloan Valve 3N Minor Mod	670	3
White River RSWMD 3T	1027	3

As of:	12/31/2013
State Fiscal Quarter	2

Active No-Discharge Permits

Agriculture	264
Industrial	687
Salt Water Disposal	471
Municipal	52
Domestic	6
Underground Injection Control (UIC)	6
Total	1486

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Permits Pending Greater than 45 Days

Permittee	Facility	Permit Number	Days Pending	Reason Code
Patrick Hanlon	Treasure Isle R.V. Park	1664-WR-2	1429	4
FutureFuel Chemical Company	FutureFuel Chemical Company	5082-W	1343	9
Great Lakes Chemical Corporation	Great Lakes Chemical Corporation - Newell Plant	0655-WR-3	595	5
Ronald Alexander	Midway Isolation Farm	4473-WR-1	459	4
Weyerhaeuser NR Company	Weyerhaeuser Dierks Mill	5182-W	456	7
Allens, Inc.	Allens, Inc. - Country Plant	4438-WR-5	455	9
North Little Rock Wastewater Utility	North Little Rock Wastewater Utility	4665-WR-3	455	4
William (Bud) Beatty	William (Bud) Beatty	5183-W	441	7
Terra Renewal Services, Inc.	Terra Renewal Services, Inc.	4983-WR-1	433	6
Nucor-Yamato Steel Company	Nucor-Yamato Steel Company	5007-WR-2	425	9
Gerdau MacSteel, Inc.	Gerdau MacSteel	4422-WR-4	425	2
University of Arkansas Winthrop Rockefeller Institute	University of Arkansas Winthrop Rockefeller Institute	4897-WR-1	421	4
Mountain-Aire Sanitation, Inc.	Mountain-Aire Sanitation, Inc.	4679-WR-3	420	4
Sonstegard Foods of Arkansas	Sonstegard Foods of Arkansas	4994-WR-1	417	7
Entergy Arkansas, Inc.-Environmental Mgt.	Arkansas Fleet Maintenance Center	4478-WR-3	410	6
Joyce Street Cottages Property Owner's Association, Inc.	Joyce Street Cottages	4957-WR-1	399	7
Choctaw Island Development Co., LLC	Island at Choctaw Bay	4678-WR-2	399	5
Craig and Andrea Cowart	Cowart Farm	3610-WR-4	389	5
City of Roe	Roe Wastewater Treatment	4470-WR-3	384	7
Mississippi County	Mississippi County Landfill	5091-WR-1	378	4
Southland Septic Service, Inc.	Southland Septic Service, Inc.	4471-WR-3	368	9
Paul Henderson	Henderson Farms	5190-W	342	7
Terra Renewal Services, Inc.	RVAF Lagoon Land	5192-W	314	6
American Composting, Inc.	American Composting, Inc.	5150-WR-1	294	4
Lancer Energy, LLC	Lancer Drilling Fluid Spray Farm	5029-WR-2	272	9
Geo Specialty Chemicals, Inc.	Geo Specialty Chemicals, Inc.	3827-WR-4	244	4
William E. Martin	Sandy River Farm	4921-WR-1	239	4
The Creeks Golf Course, LLC.	The Creeks RV Resort	5031-WR-1	238	4
DayStar Environmental Services, LLC	Gravel Reclamation Facility	5093-WR-2	236	4
The Pork Group, Inc.	Tyson 40th Street Truck Wash	1547-WR-5	217	4
Terra Renewal Services, Inc.	Terra Renewal - Washington Co.	4738-WR-3	200	4
City of Fayetteville	Fayetteville Land Application Site	4748-WR-3	195	4
B&R Meat Processing, LLC	B&R Meat Processing, LLC	5200-W	182	4
Green Bay Packaging	Arkansas Kraft Division	5199-W	181	4
Good Shepherd Humane Society, Inc.	Good Shepherd Humane Society, Inc.	3568-WR-3	176	5

Permits Pending Greater than 45 Days

Permittee	Facility	Permit Number	Days Pending	Reason Code
Fransden Park Estates Property Owners' Association	Hummingbird Estates	5204-W	173	2
Diamond Bluff Property Owners Improvement District #1	Diamond Bluff WW Treatment Facility	5203-W	173	5
M&M Environmental Oil Services, LLC	M&M Environmental Oil Field Services	4984-WR-4	167	4
Delta Plastics of the South, LLC	Delta Plastics of the South, LLC	4876-WR-2	158	4
Clarksville Light & Water	Clarksville Light & Water	5205-W	153	1
Southern Mud Company, LLC	Southern Mud Company	5077-WR-4	148	7
David and Bonita Jennings	Sage Butcher Shop	5206-W	134	4
Nathan & Nicole Hill	Nathan Hill Farm	4105-WR-3	134	4
Mark Anderson	AA Farms	5120-WR-2	130	4
Sloan Estates Property Owners Association, Inc.	Sloan Estates	4837-WR-2	125	4
City of Mena	Mena Wastewater Treatment Plant	5207-W	124	4
Robert Squires	Robert Squires Farm	5208-W	111	4
Arkansas Resources Management, LLC	Arkansas Resources Management	5040-WR-4	110	4
Shumaker Public Service Corporation	Former Highland Park Industrial Landfill	5209-W	109	4
Van Buren Municipal Utilities	Highway 59 South Sludge Application Site	5211-W	91	4
ConAgra Frozen Foods, Inc.	ConAgra Frozen Foods, Inc.	2018-WR-9	90	4
Barry Ribble	Hydrostatic Oil Services	5197-W	89	4
GEO Specialty Chemicals, Inc.	GEO Specialty Chemicals, Inc.	5161-WR-1	83	4
Recycle Solutions, Inc.	Recycle Solutions Biosolid Facility	5133-WR-1	76	4
Terra Renewal Services, Inc.	Terra Renewal Services, Inc.	4672-WR-5	70	4
Beadles Enterprises, Inc.	Beadles Enterprises, Inc.	4805-WR-2	56	4
Magnet Cove School District	Magnet Cove School District	4804-WR-2	53	4
Riviana Foods, Inc.	Riviana Foods at Carlisle	3954-WR-5	47	4

Reason Codes	
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.)

Arkansas Department of Environmental Quality
Section 38 Report, Water Division, Q2 SFY 2014
Permit Applications > 45 Days

1/8/2014

As of:	1/1/2014
State Fiscal Quarter	2

NPDES Permits/Category

Individual Permits	
Municipal	365
Industrial	431
Stormwater Permits	
Construction	901
Industrial	1984
Small Municipal Separate Storm Sewer System (MS4)	58
Individual	1
General Permits	
Landfill	35
Non-Contact Cooling Water	9
Aggregate Facilities	46
Individual Treatment	166
Concentrated Animal Feeding Operations	1
Water Treatment	126
Hydrostatic Testing	23
Car Wash	14
Ground Water	7
Pesticide	72
Total	4239

a

Arkansas Department of Environmental Quality
Section 38 Report, Water Division, Q2 SFY 2014
Permit Applications > 45 Days

1/8/2014

Permits Pending- By Category/Facility		Q2 SFY 2014		
Permit Number	Owner Name	Facility Name	Days Pending	Reason Code
AR0000752		El Dorado Chemical Company	2556	4
AR0035386		FutureFuel Chemical Company	2037	8
AR0001171		Great Lakes Chemical Corporation - Central Plant	2001	4
AR0022063		City of Springdale	1926	8
AR0000647	Lion Oil Company	El Dorado Refinery	1800	4
		West Side Wastewater Treatment Facility		
AR0050288	City of Fayetteville	City of Rogers	1300	8
AR0043397		Arkansas Remediation	1283	8
AR0000582	Alcoa Inc.		996	4
AR0022250		City of Dermott - South Pond	889	4
	Associated Electric Cooperative, Inc.			
AR0049425		Dell Power Plant	831	4
AR0002968	Domtar A.W. LLC	Ashdown Mill	785	8
		West Fork Wastewater Treatment Plant		
AR0022373		City of Harrison	692	8
AR0034321		River Valley Animal Foods	637	8
AR0048356	Tyson Foods, Inc.	City of Siloam Springs	631	4
AR0020273		Nucor-Yamato Steel Company	621	8
AR0043117		Precoat Metals	573	6
AR0050776		City of Berryville	561	8
AR0021792		City of Sheridan	545	4
AR0034347		Great Lakes Chemical Corporation - South Plant	498	4
AR0000680		Remington Arms Company, LLC	483	4
AR0001163	U.S. Fish and Wildlife Service	Greers Ferry National Fish Hatchery	483	4
AR0029181	North Little Rock Wastewater Utility	Faulkner Lake Plant	471	7
AR0020303		U.S. Army, Pine Bluff Arsenal	448	8
AR0001678		Albemarle Corporation-West Plant	428	2
AR0047635M			426	4

C

Memorandum

DATE: January 8, 2014

TO: LEGISLATIVE COUNCIL

FROM: TERESA MARKS, DIRECTOR
ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY

RE: SECTION 38 (a) – (e) of ACT 2012 OF THE 2013 REGULAR
SESSION OF THE ARKANSAS GENERAL ASSEMBLY

d

As provided by Section 38 (a) – (e) of Act 2012 of the 2013 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 October 1 through December 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 63.

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 October 1 through December 31, 2013

Type of Enforcement Action	Defendant	Geographic Location
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There were no Enforcement Actions Filed in Circuit Court during this period.

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

Civil Penalties Collected \$155,188.97

Supplemental
Environmental Projects
Verified \$0.00

CONSENT ADMINISTRATIVE ORDERS

Anthony Forest Products Company- Urbana Mill, Union County, Air Division, \$600.00 Penalty, LIS No. 13-155

Arkansas Children's Hospital, Pulaski County, Air Division, \$1,000.00 Penalty, LIS No. 13-163

Ash Grove Cement Company, Little River County, Air Division, \$2,800.00 Penalty, LIS. No. 13-154

E. Ritter Oil Company, Cross County, Lawrence County, Independence County, Crittenden County, & Craighead County, Regulated Storage Tanks Division, \$21,000.00 Penalty, LIS No. 13-105

Jesse Ferrell d/b/a Jesse Ferrel Rental Development, Faulkner County, NPDES/Water Division, \$1,275.00 Penalty, LIS No. 13-159

Jim's Tree Service, Inc., Arkansas County, Air Division, \$2,800.00 Penalty, LIS No. 13-167

Mike Murfik d/b/a Bull Market, Crittenden County, Air Division, \$2,500.00 Penalty, LIS No. 13-053

Pet Solutions, LLC, Yell County, Air Division/Water Division, \$12,805.00 Penalty, \$6,895.00 to Supplemental Environmental Project, LIS No. 13-162

Ronnie Walker d/b/a Walker Auto Ranch & Salvage, Garland County, Hazardous Waste Division, \$10,000.00 Penalty, LIS No. 13-160

Southern Star Concrete, Inc., Faulkner County, NPDES/Water Division, \$4,462.00 Penalty, LIS No. 13-164

NOTICE OF BOND FORFEITURE

Southern Arkansas Materials Corporation, Calhoun County, Mining Division, No Penalty, LIS 13-165

NOTICE OF VIOLATION AND PERMIT REVOCATION

KT Rock, LLC., Van Buren County, Cleveland County & Conway County, Air Division,
\$900.00 Penalty, \$1,300.00 for Annual Fees and Late Charges, LIS 13-087

NOTICES OF VIOLATION

M.M. Satterfield Oil Co., Lee County, Regulated Storage Tanks Division, \$1,600.00 Proposed
Penalty, LIS No. 13-157

R.T. Turbines, Inc., Lee County, Regulated Storage Tanks Division, \$3,000.00 Proposed
Penalty, LIS No. 13-158

Quapaw Products, LLC, Phillips County, Hazardous Waste Division, \$295,250.00 Proposed
Penalty, LIS No. 13-166

DEFAULT ADMINISTRATIVE ORDER

Corriente Ridge, LLC, d/b/a Rock Connection, Grant County, Mining Division, \$7,625.00
Penalty, LIS No. 11-181

PERMIT APPEAL RESOLUTION

City of Centerton, Benton County, NPDES/Water Division, No Penalty, LIS No. 13-161

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

CONSENT ADMINISTRATIVE ORDERS

Arkansas Surgical Hospital, Pulaski County, Regulated Storage Tanks Division, \$3,000.00
Penalty, LIS No. 13-091

Arkansas Water and Wastewater Management Corporation d/b/a Huntington Estates
Subdivision, Faulkner County, NPDES/Water Division, \$3,000.00 Penalty, LIS No. 13-169

Arkansas Water and Wastewater Management Corporation d/b/a Shadow Ridge Wastewater
Treatment Facility, Faulkner County, NPDES/Water Division, \$3,000.00 Penalty, LIS. No. 13-
170

Great Dane Limited Partnership d/b/a Great Dane Trailers, Inc., Washington County, Water
Division, \$1,600.00 Penalty, LIS No. 13-171

Papco Services Incorporated, Faulkner County, Air Division, \$2,781.00 Penalty, LIS No. 13-172

NOTICE OF VIOLATION

R&R's, Inc. d/b/a Friend's Market, Crawford County, Regulated Storage Tanks Division,
\$4,800.00 Proposed Penalty, LIS No. 13-168

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

CONSENT ADMINISTRATIVE ORDERS

American Composting, Inc., Pulaski County, Solid Waste Division, NPDES/Water Division,
\$8,000.00 Penalty, LIS No. 12-148

Eagle Body Inc., Washington County, NPDES/Water Division, \$250.00 Penalty, LIS No. 13-180

Eddie Huntley d/b/a Wildman Racetrack, Jefferson County, Air Division, \$7,830.12 Penalty, LIS
No. 13-179

Fowler Lumber Company, Inc., Newton County, NPDES/Water Division, \$450.00 Penalty,
\$220.00 for Annual and Past Due Fees, LIS No. 13-177

Graphic Flexible Packaging, LLC, Jefferson County, Air Division, \$7,400.00 Penalty, LIS No.
13-174

RLH Concrete, LLC, Fulton County, NPDES/Water Division, \$4,800.00 Penalty, LIS No. 13-
178

R.T. Turbines, Inc., Lee County, Regulated Storage Tanks Division, \$3,000.00 Penalty, LIS No.
13-158

Ross Explorations, Inc., Sebastian County, Water Division, \$2,400.00 Penalty, LIS No. 13-173

Sloan Valve Company, Woodruff County, Air Division, \$3,600.00 Penalty, LIS No. 13-175

The Premcor Refining Group, Inc., Crittenden County, Air Division, \$1,900.00 Penalty, LIS No.
13-176

Amendment to Elective Site Clean-up Agreement LIS 11-201

Jimmy Sanders, Inc., Regarding: Jimmy Sanders, Inc., Mississippi County, Hazardous Waste
Management Division, No Penalty, LIS No. 11-201-001

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

CONSENT ADMINISTRATIVE ORDERS

Coscol Petroleum Corporation (f/k/a Coastal Unilube, Inc.) and Warren Unilube, Inc, Crittenden County, Hazardous Waste Division, No Penalty, LIS No. 13-182

Planters Rice Mill, LLC, Monroe County, Air Division, \$3,150.00 Penalty, LIS No. 13-183

Southland Racing Corporation, Crittenden County, Regulated Storage Tanks Division, \$3,200.00 Penalty, LIS No. 13-093

AMENDED CONSENT ADMINISTRATIVE ORDERS

Hall Manufacturing, LLC, Pulaski County, Air Division, No Penalty Change, Amendment One to Consent Administrative Order, LIS No. 12-058-001

DayStar Environmental Services, LLC, Cleburne County, Water Division, \$10,000.00 Penalty, Amendment One to Consent Administrative Order, LIS No. 13-066-001

Mueller Copper Tube Products, Inc., Cross County, Hazardous Waste Division, No Penalty Change, Second Amended Consent Administrative Order, LIS No. 08-136-002

Ronnie Walker d/b/a Walker Auto Ranch & Salvage, Garland County, Hazardous Waste Division, \$6,000.00 Penalty, Amendment to Consent Administrative Order, LIS No. 13-160-001

NOTICES OF VIOLATION

Littlefield Oil Co., Van Buren County, Crawford County, Regulated Storage Tanks Division, \$6,400.00 Proposed Penalty, LIS No. 13-181

Pleasant Oaks Sewer Improvement District #31, Saline County, NPDES/Water Division, \$8,800.00 Proposed Penalty, LIS No. 13-185

Rosalie's Pet Salon, Inc. d/b/a Rover Oaks Grooming, Washington County, Water Division, \$3,000.00 Proposed Penalty, LIS No. 13-184

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

CONSENT ADMINISTRATIVE ORDER

Blue Steel Investments, LLC, Calhoun County, Water Division, \$5,000.00 Penalty, LIS No. 13-029

NOTICES OF VIOLATION

Cunningham, Inc. & Joe T. Cunningham, St. Francis County, Regulated Storage Tanks Division, \$450.00 Proposed Penalty, \$2,065.00 Past Due & Late Fees, LIS No. 13-193

Glenda Sherrod d/b/a Rhett's Place, Baxter County, Regulated Storage Tanks Division, \$480.00 Proposed Penalty, \$480.00 Past Due & Late Fees, LIS No. 13-186

Lewis-Chariton Properties, Inc., White County, NPDES/Water Division, \$26,800.00 Proposed Penalty, LIS No. 13-190

Randy Foster, White County, Air Division, \$10,800.00 Proposed Penalty, LIS No. 13-188

Randy Turner d/b/a Pea Ridge Grocery, Pope County, Regulated Storage Tanks Division, \$450.00 Proposed Penalty, \$320.00 Past Due & Late Fees, LIS No. 13-187

NOTICE OF VIOLATION AND BOND FORFEITURE

Wilson Brothers Construction Company, Inc., Crawford County, Mining Division, No Penalty, LIS No. 13-189

NOTICES OF VIOLATION AND PERMIT REVOCATION

Chrisman, Inc. F/K/A Chrisman Ready-Mix Inc., Johnson County, Franklin County, Logan County, Air Division/Water Division, No Penalty, LIS No. 13-041

ILPEA Industries, Inc., Sebastian County, NPDES/Water Division, Proposed Penalty \$450.00, Past due permit fees \$200.00, LIS No. 13-191

Premium Pipe & Supply, L.P., Conway County, Water Division, \$550.00 Past Due & Late Fees, LIS No. 13-119

Dated this 10th of December 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, Air Division, \$1,400.00 Penalty, LIS No. 13-198

City of Walnut Ridge, Arkansas, Lawrence County, Air Division, \$2,500.00 Penalty, LIS No. 13-196

Hall Manufacturing, LLC, Pulaski County, Hazardous Waste Division, \$6,000.00 Penalty, LIS No. 13-197

Great Lakes Chemical Corporation-Central Plant, Union County, Air Division, \$8,880.00 Penalty, LIS No. 13-199

NOTICES OF VIOLATION

Darrell Rosen and Mountain Creek Kennels LLC, Washington County, Water Division, \$1,800.00 Proposed Penalty, LIS No. 13-195

Hightower Oil and Petroleum, Inc., Conway County, Regulated Storage Tanks Division, \$1,600.00 Proposed Penalty, LIS No. 13-200

Jaydon, Inc., Lonoke County, Water Division, \$1,000.00 Proposed Penalty, LIS No. 13-192

NOTICE OF VIOLATION AND PERMIT REVOCATION

Johnny G. Hickman, IPCO-Placid "A" Salt Water Disposal System, Columbia County, Water Division, \$450.00 Proposed Penalty, \$550.00 Past Due & Late Fees, LIS No. 13-201

DEFAULT ADMINISTRATIVE ORDER

Southern Arkansas Materials Corporation, Calhoun County, Mining Division, \$10,656.00 Bond Forfeiture, No Penalty, LIS No. 13-165

Dated this 25th of December 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: October, November, and December, 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. 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.

3. 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-tetrafluoropropne (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.

4. 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.

5. 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.

6. 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.

7. Regulation Number and Name: Regulation No. 2, Tyson Foods Third-Party Rulemaking; Docket No. 13-005-R.

a. **Amendment Proposed By:** Tyson Foods Inc. - Waldron Plant

b. **Description:** Tyson Foods filed its request to initiate rulemaking on April 9, 2013. Tyson proposes to revise Regulation 2 by modifying the state water quality standards for chloride, sulfates, and total dissolved solids.

The Commission adopted the minute order initiating the rulemaking process on May 23, 2013, and no final decision has been made.

c. **Justification:** There is no current economically feasible treatment technology for the removal of the minerals. Reverse osmosis treatment technology is not cost effective and generates a concentrated waste stream that is environmentally difficult to dispose of. That technology is not required to meet the designated uses and would produce no significant environmental protection.

d. **Economic Impact:** This rulemaking has 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, City of Huntsville Third-Party Rulemaking; Docket No. 13-006-R.

a. **Amendment Proposed By:** City of Huntsville

b. **Description:** City of Huntsville filed its request to initiate rulemaking on June 12, 2013. City of Huntsville proposes to revise the chloride, sulfate, total dissolved solids water quality criteria in Town Branch from the point of discharge of the City of Huntsville wastewater treatment plant downstream to the confluence with Holman Creek; in the Holman Creek from the confluence with Town Branch downstream to the confluence with War Eagle Creek; in War Eagle Creek from the confluence with Holman Creek; and remove the designated but not existing Domestic Water Supply use from Town Branch and Holman Creek.

The Commission adopted the minute order initiating the rulemaking process on July 26, 2013, and no final decision has been made.

c. **Justification:** The economic effects of the proposed rule are significant and beneficial for Huntsville. Huntsville has investigated technologies and alternatives to comply with the current minerals criteria, which is summarized in the Report. Reasonable available control technology does not exist that would allow Huntsville to discharge in a manner that would maintain the existing minerals criteria. Approval of the proposed rule modifying the criteria to reflect long term historical site specific conditions is the only reasonable approach so that the permit limits can be adjusted

d. **Economic Impact:** This rulemaking has no impact to the environment in Arkansas that would not have otherwise occurred.

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

9. Regulation Number and Name: Regulation No. 6, Regulations for the State Administration of the National Pollutant Discharge Elimination System (NPDES); Docket No. 13-007-R.

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

b. Description: ADEQ filed its request to initiate rulemaking on July 12, 2013. Changes to Regulation 6 are being proposed in order to conform to provisions in Act 954 and Act 402 of the 2013 Arkansas General Assembly.

The Commission adopted the minute order initiating the rulemaking process on July 26, 2013, and no final decision has been made.

c. Justification: This regulation should be amended to incorporate and fully implement the provisions of Act 954 and Act 402 of the 2013 update. All other changes to Regulation No. 6 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.

10. Regulation Number and Name: Regulation No. 15, Arkansas Open Cut Mining and Reclamation Code; Docket No. 13-008-R.

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

b. Description: ADEQ filed its request to initiate rulemaking on August 6, 2013. Changes to Regulation 15 are being proposed in order to delete a section of the regulation regarding variances and interim authority and replacing it with language that any variances from provisions in the regulation and interim authority for operations will conform to the provision of the A.C.A., Section 8-4-230. Other proposed changes involve revision of some definitions; the addition of a new

definition for the term, "soil;" and minor style and format changes throughout the regulation.

The Commission adopted the minute order initiating the rulemaking process on August 23, 2013, and no final decision has been made.

c. **Justification:** ADEQ proposes to modify this regulation by deleting the language found in Reg.15.310 and replacing that language with a statement of reference to A.C.A. § 8-4-230 that was revised by Act 1021 of 2013 as provided for in Act 609 of 2011. All other changes to Regulation No. 15 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.

11. **Regulation Number and Name:** Regulation No. 21, Arkansas Asbestos Abatement Regulation; Docket No. 13-009-R.

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

b. **Description:** ADEQ filed its request to initiate rulemaking on August 9, 2013. Changes to Regulation 21 are being proposed in order to incorporate public input after an extensive two-year collaborative workgroup effort between the ADEQ and stakeholders. Proposed significant revisions to Regulation 21 include: Changes in the definition of "Regulated asbestos-containing material (RACM)."; Elimination of non-mandatory language in the Asbestos Inspection section; Clarification of language in the Notice of Intent (NOI) Section regarding information required prior to beginning renovation projects; Addition of language to the NOI section concerning activities involving resilient floor covering renovation projects, and changes in owners or operators; Clarification of requirements in the Record Keeping Section for storage and submission of on-site documents; Addition and deletion of language for clarification purposes in the Work Procedures Applicability chapter and Licensing Requirements Exemptions subchapter; Addition of

language to the Out of State Training subchapter; Clarification of the list of necessary documents under the Minimum Record Keeping Requirements subchapter; Addition of a new chapter for Accreditation Certificates; and Deletion of two sections involving fees for demolition of certain amounts of RACM. Several changes were also made for clarification and consistency purposes, or to update typographical errors throughout Regulation No. 21. These revisions are non-substantive items.

The Commission adopted the minute order initiating the rulemaking process on August 23, 2013, and no final decision has been made.

c. Justification: The purpose of this proposed rule is to incorporate stakeholders' input in order to clarify Regulation No. 21. The Department also finds it necessary to propose changes to add or delete language for clarity in requirements for record keeping, training provider licenses, documents required for certifications or renewal of licenses and to correct the Occupational Safety and Health Administration (OSHA Asbestos Construction standard citation.

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.

12. Regulation Number and Name: Regulation No. 2, Third-Party Rulemaking, City of Fayetteville Paul R. Noland Wastewater Treatment Plant; Docket No. 13-010-R.

a. Amendment Proposed By: City of Fayetteville Paul R. Noland Wastewater Treatment Plant ("City of Fayetteville").

b. Description: City of Fayetteville filed its request to initiate rulemaking on October 11, 2013. These amendments concern Regulation No. 2. Proposed changes involve amending Arkansas Water Quality Standards for minerals for the White River from the discharge of the Noland Wastewater Treatment Plant to immediately downstream of the confluence of Richland Creek.

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

1/3/14
Date

Charles Moulton
Charles Moulton
Administrative Law Judge
Arkansas Pollution Control and
Ecology Commission

ADEQ REVENUE FROM AIR, WATER & SOLID WASTE PERMIT FEES

Figures generated from ADEQ Permit Data System. Date range = 10-01-2013 to 12-31-13

Division	Fee Code	Description	Annual	Initial	Interim Authority	Modification	Variance	Short-Term Authority	Total
AIR									
	G	General Operating Permit	\$ 21,200 106	\$ 1,200 6					\$ 22,400 112
	L5	Late Charge (Air T5)	\$ 259 1						\$ 259 1
	LC	Late Charge (Air LC)	\$ 949 15						\$ 949 15
	MS	Minor Source (Air MS)	\$ 261,187 191	\$ 6,009 7		\$ 10,911 26			\$ 278,107 224
	MVRF	Motor Vehicle Racing Facility				\$ 200.00 1			\$ 200 1
	R3	Air Reg 18.315	2,600 13						\$ 2,600 13
	T5	Title 5 (Air T5)	\$ 4,109,723 87	\$ 5,936 1		\$ 26,177 28			\$ 4,141,836 116
AIR TOTAL		Total	\$ 4,395,918 \$ 413	\$ 13,145 \$ 14	\$ - \$ -	\$ 37,288 \$ 55	\$ - \$ -	\$ - \$ -	\$ 4,446,351 \$ 482
SOLID WASTE									
	1	Class I Landfill	\$ 78,000 13			\$ 3,000 1			\$ 81,000 14
	3C	Class III commercial (SW 3C)	\$ 5,000 1						\$ 5,000 1
	3N	Class III Non-commercial	\$ 45,000 15			\$ 2,000.00 1			\$ 47,000 16
	3T	Class III Tire Monofill (SW 3T)	\$ 3,000 1						\$ 3,000 1

	4	Class IV Landfill	\$ 6,000 12			1,000 1		\$ 7,000 13
	CD/RF	Construction & Demolition Waste Recovery (Solid Waste CDRF)						\$ - 0
	CL	Closed Facility (Solid Waste CL)						\$ - 0
	CO	Composting Organic Waste (Solid Waste CO)						\$ - 0
	CY	Composting Yard Waste (Solid Waste CY)	\$ 4,500 10					\$ 4,500 10
	LC	Late Charge (Solid Waste LC)						\$ - 0
	P	Postclosure Fee (Solid Waste P)	\$ 1,000 2					\$ 1,000 2
	TS	Transfer Station or MRF	\$ 10,350 23	\$ 1,800 2				\$ 12,150 25
	WR	Solid Waste Recovery						\$ - 0
SOLID WASTE TOTAL		Total	152,850 77	1,800 2	0 0	6,000 3	0 0	160,650 82
WATER - NPDES								
	N-A	NPDES Agricultural (Minor With Toxic)	\$ 98,668 12					\$ 98,668 12
	N-B	NPDES Saltwater (Minor Without Toxic)	\$ 215,606 148	\$ 278 1		\$ 8,000 4		\$ 223,884 153
	N-C	NPDES Cooling Water	\$ 30,908 6					\$ 30,908 6
	N-G	NPDES Coal Mining (converted)						\$ - 0
	N-G2	NPDES Coal Mining						\$ -

								0
N-G3	NPDES Sanitary Landfill Run-off	\$ 6,400 16						\$ 6,400 16
N-G5	NPDES Bulk Petroleum Storage							\$ - 0
N-G6	NPDES Individual Home Treatment	\$ 2,800 14						\$ 2,800 14
N-G7	NPDES Water Plant Backwash Filter	\$ 12,800 32						\$ 12,800 32
N-G8	NPDES Pipeline Hydrostatic Test	\$ 600 3	\$ 800 4					\$ 1,400 7
N-G9	NPDES Car/truck Wash Facility	\$ 400 2						\$ 400 2
N-GA	Ground Water Clean-Up (Water-NPDES GA)	\$ 1,000 2						\$ 1,000 2
N-GB	Laundromat (Water-NPDES GB)							\$ - 0
N-GC	Sand and Gravel (Water-NPDES GC)	\$ 1,917 10						\$ 1,917 10
N-GD	Concentrated Animal Feedlot Operation (Water-NPDES GD)							\$ - 0
N-GE	Cooling Towers; Tower & Boiler Blowdown (Water-NPDES GE)	1,000 5						\$ 1,000 5
N-GF	Pesticides (Water-NPDES)	\$ 600 3						\$ 600 3
N-J	NPDES Major Non-municipal, MRAT>= 100	\$ 240,000 16			\$ 5,000 1			\$ 245,000 17
N-K	NPDES Major Non-municipal, MRAT 80-100	\$ 55,000 5						\$ 55,000 5

	N-L	NPDES Discretionary Major							\$ - 0
	LC	Late Charge(Water-NPDES LC)	\$ 848 16						\$ 848 16
	LS	Late Charge (Storm Water)	\$ 1,313 66						\$ 1,313 66
	N-M	NPDES Major Municipal	\$ 236,601 27						\$ 236,601 27
	NO-EX	No-Exposure Certification (Water-NPDES	\$ 20,867 105	\$ 2,200 11					\$ 23,067 116
	N-O	NPDES Minor Aquatic Animal Prod							\$ - 0
	N-P	NPDES Minor Variable Discharge	\$ 10,200 34	\$ 300 1					\$ 10,500 35
	N-Q	NPDES Construction Permit		\$ 2,500 5					\$ 2,500 5
	N-R1	NPDES Stormwater Manufacturing	\$ 122,118 614	\$ 3,800 19					\$ 125,918 633
	N-R2	NPDES Stormwater Construction	\$ 30,300 153	\$ 13,600 68					\$ 43,900 221
	R4	NPDES Stormwater: MSF Phase II	\$ 400 2	\$ 200 1					600 3 0
WATER NPDES TOTAL		Total	1,090,346 1,291	23,678 110	0 0	13,000 5	0 0	0 0	1,127,024 1,406
TE WATER PERM	ST	Short-Term Authorization							\$ - 0
	S-D	Confined Animal or Small Sep	\$ 13,133 66	\$ 400 2		\$ 600 3			\$ 14,133 71
	S-E	State Permits Branch Commercial or Industrial	\$ 34,208 69	\$ 3,200 7		\$ 2,000 4			\$ 39,408 80
	S-F	Industrial Sludge App							\$ -

									0
	S-G1	State Permits Branch Conined Animal Feedlot							\$ - 0
	GP	Oil & Gas Pits							\$ - 0
	S-H	Salt Water Disposal (SPB H)	\$ 32,000 128	\$ 3,000 12		\$ 500 2			\$ 35,500 142
	GLA	Oil & Gas Land Application							\$ - 0
	S-I	POTW Non-NPDES Land App							\$ - 0
	LC	Late Charge(Water-SPB LC)	\$ 787 28						\$ 787 28
	Z	Interim Authority (Water-SPB Z)							\$ - 0
	ST	Short-Term Authorization (Water- SPB ST)		\$ 200 1				\$ 19,600 82	\$ 19,800 83
WATER - STATE PERMIT		Total	\$ 80,128 \$ 291	\$ 6,800 \$ 22	\$ - \$ -	\$ 3,100 9	\$ - \$ -	\$ 19,600 82	\$ 109,628 \$ 404
	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	\$ - 0	\$ 15,000 1
TOTAL		Total	\$ 5,734,242 2,073	\$ 45,423 148	\$ - 0	\$ 59,388 72	\$ - 0	\$ 19,600 82	\$ 5,858,653 2,375

This information comes from the "Invoice All" program. Run "Fee Code Payment Type" for the previous qtr that closed.

ADEQ REVENUE FROM PERMIT FEES AND LICENSES

All figures generated 12-31-13, based on active invoices. Date range = 10-01-2013 to 12-31-2013

Invoice Identifier	Fee Code	Description	Fund	Collections
RST - Tank Installer Licenses	RST	Tank installer licenses	SRS0000	\$ 3,925.00
TKS - Storage Tank Fees	TKS	Storage Tank Fees		\$ 35,733.00
UST - Exam Fees	UST	Underground Storage Tank Exam Fees		\$ 1,775.00
ASB - Asbestos Licenses	ASB	Asbestos Licenses	SAC0000	\$ 22,895.00
CCL - Contractors Licenses - Lead	CCL	Contractors Licenses	SAC0000	\$ 47,775.00
HWD - HW Permits	HWD	Hazardous Waste Permits	SHW0000	\$ 108,111.16
			MEE0000	\$ 1,000.00
			THS0000	\$ 9,000.00
TRF - Transfer Facilities	TRF	Transfer Facilities	SHW0000	
HWL- HW Licenses	HWL	HW Licenses	SHW0000	\$ 200.00
SFF - Superfund	HWD	Superfund permit fees	THS0000	
			MEE0000	
LAB - Lab Certification Fees	LAB	Lab Certification Fees	HMA0100	\$ 16,130.00
MPS - Mining Fees	MPS	Non-coal mining permit Fees	HMA0100	\$ 3,479.60
		Coal Mining Permit Fees	MAF0000	\$ 600.00
		Quarry Permit Fees	TLR0000	\$ 750.00
MBL - Mining Fees	MBL	Blaster Permits	MAF0000	
DCO - Dump Control Officers	DCO	Dump Control Officer Licenses	TPE0000	\$ 185.00
SWL - Sanitary Landfill Operators	SWL	Sanitary Landfill Operator Licenses		\$ 5,785.00
TTL - Waste Tire Licenses	TTL	Waste Tire Licenses		\$ 35.00
TPF - Waste Tire Facilities	TPF	Waste Tire Facilities		\$ 25.00
MER - Mercury Switches	MER	Mercury Switches	TWS0100	\$ 1,709.00
SWF - Municipal Landfills	SWF	Municipal Landfill Fees	TWS0100	\$ 239,732.56
			TWS0200	\$ 958,930.17
			TWS0300	\$ 770,399.33
ILF - Industrial Landfills	ILF	Industrial Landfill Fees	TWS0100	\$ 3,763.61
			TWS0200	\$ 15,054.36
			SMB0000	\$ 6,272.66
WWL - Wastewater Licenses	WWL	Waste Water Operator Licenses	MWW0000	\$ 6,500.00
Total				\$ 2,259,765.45

Civil Penalty Assessments

b

	CY2012	CY2013	Difference	%Diff
Grand Totals	\$1,069,747.29	\$1,446,179.17	\$ 376,431.88	35.19%

<i>SEP only 2013</i>	<i>El Dorado School District</i>	<i>\$ 1,925.00</i>
	<i>Amfuel</i>	<i>\$ 10,000.00</i>
	<i>Wynne Downtown Revitalization</i>	<i>\$ 4,000.00</i>
	<i>El Dorado Fire Department</i>	<i>\$ 2,941.30</i>
	<i>Union County Sheriff's Department</i>	<i>\$ 3,081.40</i>
Total SEP's		<u>\$ 21,947.70</u>