



ARKANSAS  
Department of Environmental Quality

January 6, 2012

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 October 1, 2011 December 31, 2011. 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

## AIR DIVISION

As of 1/1/2012

State Fiscal Quarter 2nd quarter

## Air Permits/Category

Major Title V 208  
Minor 1009

Permits Pending- By Category/Facility

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MAJOR TITLE V	DATE APPLICATION RECEIVED	FACILITY	1/1/2012	Reason Code
7000101	12/11/2007	Great Lakes Chemical Corporation - West Plant	1482	3
1600002	3/10/2008	Acme Brick - Wheeler Plant	1392	5
3500017	4/22/2008	Delta Natural Kraft	1349	8
3200036	12/12/2008	FutureFuel Chemical Company	1259	5
7000037	9/10/2008	Great Lakes Chemical Corporation - South Plant	1208	5
7000101	9/10/2008	Great Lakes Chemical Corporation - West Plant	1208	3
3500017	2/11/2009	Delta Natural Kraft	1054	8
7000037	2/27/2009	Great Lakes Chemical Corporation - South Plant	1038	5
2800256	3/9/2009	American Railcar Industries, Inc. - Marmaduke	1028	5
2900506	3/27/2009	AEP - SWEPCO Turk Plant	1010	8
5500017	4/2/2009	Bean Lumber Company, Inc.	1004	8
3200036	4/13/2009	FutureFuel Chemical Company	993	5
4700014	5/26/2009	Roll Coater, Inc.	950	7
7000037	7/13/2009	Great Lakes Chemical Corporation - South Plant	902	5
3200036	7/24/2009	FutureFuel Chemical Company	891	5
7000037	8/7/2009	Great Lakes Chemical Corporation - South Plant	877	5
6700296	10/5/2009	Huskyne Forestry Products North America, Inc.	818	3
4500008	10/5/2009	Fishing Holdings, LLC	818	5
4700202	10/6/2009	Nucor-Yamato Steel Company	817	3
5400017	10/6/2009	Entergy Arkansas, Inc. - Ritchie Plant	814	5
3500110	10/20/2009	Entergy Arkansas, Inc. - White Bluff Plant	803	7
2400088	10/26/2009	CenterPoint Energy - Mississippi River Transmission LLC - Webb City C	797	7
5500017	11/3/2009	Bean Lumber Company	789	8
3500017	11/16/2009	Delta Natural Kraft - Mid America Packaging	776	5
1800120	12/7/2009	The Premcor Refining Group, Inc. - West Memphis Terminal	755	2
3200036	1/20/2010	FutureFuel Chemical Company	711	5
7000012	1/28/2010	Great Lakes Chemical Corporation - Central Plant	703	5
3500016	2/23/2010	Evergreen Packaging	677	7
2300284	2/26/2010	Steele Plastics	674	2
7000543	3/5/2010	Union Power Station	667	5
0400213	3/31/2010	Preformed Line Products Company	641	5
7000037	4/2/2010	Great Lakes Chemical Corporation - South Plant	639	5
2700002	4/13/2010	West Fraser, Inc. - Leola Lumber Mill	628	2
7000012	5/3/2010	Great Lakes Chemical Corporation - Central Plant	606	5
2000017	5/28/2010	Idaho Timber of Carthage	583	5
6000689	5/28/2010	Arkansas Children's Hospital	583	7
3100023	6/21/2010	Huskyne Forestry Products North America, Inc.	559	3
0400107	6/24/2010	AEP - Flint Creek Power Plant	556	5
7000012	7/8/2010	Great Lakes Chemical Corporation - Central Plant	542	5
7000012	7/16/2010	Great Lakes Chemical Corporation - Central Plant	534	5
4700202	7/28/2010	Nucor-Yamato Steel Company	522	3
0700033	7/29/2010	Eastline Armtec Countermeasures	521	6
3000337	8/5/2010	Hot Springs Power Company, LLC	514	5
4700202	8/31/2010	Nucor-Yamato Steel Company	488	3
1800082	10/13/2010	Arkate Division	445	2
6600218	10/27/2010	Saint-Gobain Proppants	431	5
7000037	11/12/2010	Great Lakes Chemical Corporation - South Plant	412	5
2400088	11/15/2010	CenterPoint Energy- Mississippi River Transmission LLC - Webb City C	412	3
3200036	11/19/2010	FutureFuel Chemical Company	408	5
0200005	12/2/2010	Georgia-Pacific LLC - Plywood/Studmill Complex	395	6
4700202	1/5/2011	Nucor-Yamato Steel Company	361	3
7000012	1/28/2011	Great Lakes Chemical Corporation - Central Plant	338	5
7100396	2/7/2011	DeSoto Gathering Company, LLC - Gravel Hill CPF-4	328	6
2900506	2/7/2011	American Electric Power Service Corp. - John W. Turk Jr. Power Plant	328	5
4700202	2/25/2011	Nucor-Yamato Steel Company	310	3
3500017	2/28/2011	Delta Natural Kraft - Mid America Packaging	307	5
1000004	3/20/2011	Reynolds Metals Co. - Gum Springs	287	6
7000384	3/28/2011	Waste Corporation of Arkansas, Inc. - Union County Recycling & Dispos	279	7
6000302	4/19/2011	University of Arkansas for Medical Services (UAMS)	257	5
7000012	4/25/2011	Great Lakes Chemical Corporation - Central Plant	251	5
7000012	5/10/2011	Great Lakes Chemical Corporation - Central Plant	236	5
4100002	5/2/2011	Domtar A.W., LLC	226	3
7000016	5/27/2011	Lion Oil Company	219	5
4700233	6/3/2011	Nucor Corporation (Nucor Steel, Arkansas)	212	6
6000565	6/14/2011	BFI Waste Systems of AR, LLC - Model Fill Landfill	201	7
7000012	7/11/2011	Great Lakes Chemical Corporation - Central Plant	174	5
3300013	7/13/2011	Unilin Flooring NC, LLC - Columbia Flooring Division	167	7
4100001	7/18/2011	Ash Grove Cement Company	167	5
6600041	7/18/2011	Baldor Electric Company	153	6
0700035	8/1/2011	Aerget - General Corporation	150	2
7200695	8/4/2011	SWEPCO - Harry D. Mattison Power Plant	146	2
6000689	8/8/2011	Arkansas Children's Hospital	145	7
0700212	8/9/2011	Georgia-Pacific Wood Products LLC, Fordyce OSB	145	7
7000098	8/9/2011	Clean Harbors El Dorado, LLC	142	5
2800077	8/12/2011	Northeast AR Reg. SW Management District	136	8
0700035	8/18/2011	Aerget - General Corporation	130	2
5800272	8/24/2011	JW Aluminum Company	128	2
6100001	8/26/2011	Pinnacle Frames & Accents, Inc.	117	6
4700461	9/6/2011	Plum Point Energy Station	110	6
7200144	9/13/2011	Eco-Vista, LLC	108	3
1600005	9/15/2011	Georgia-Pacific Wood Products South LLC - Gurdon Plywood and Lume	103	5
5800272	9/20/2011	JW Aluminum Company	103	5
7000101	9/21/2011	Great Lakes Chemical Corporation - West Plant	100	3
2400014	9/23/2011	SGL Carbon, LLC	98	6
1400028	9/27/2011	Albemarle Corporation - South Plant	93	5
6000003	9/30/2011	3M Industrial Mineral Products Division	88	3
1500001	10/5/2011	Green Bay Packaging, Inc., Arkansas Kraft Division	79	6
1800120	10/12/2011	The Premcor Refining Group, Inc. - West Memphis Terminal	76	5
2600022	10/17/2011	Triumph Fabrications Hot Springs	76	5
1000070	10/17/2011	Anthony Timberlands, Inc.	75	6
0200026	10/18/2011	Georgia Pacific Chemicals LLC	75	3
1800101	10/18/2011	Riceland Foods, Inc. - Jonesboro Division	74	3
2600090	10/19/2011	New Millennium Building Systems, LLC	72	6
7000400	10/21/2011	Enterprise Refined Products Company, LLC - El Dorado Terminal	65	6
7000012	10/28/2011	Great Lakes Chemical Corporation - Central Plant	61	2
4100001	11/1/2011	Ash Grove Cement Company	60	2
1400028	11/2/2011	Albemarle Corporation - South Plant	52	2
1400028	11/10/2011	Albemarle Corporation - South Plant	47	2
6100031	11/15/2011	Natural Gas Pipeline Company of America #308	47	2
0200028	11/15/2011	Georgia Pacific Chemicals LLC		

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MINOR	DATE APPLICATION RECEIVED	FACILITY	1/1/2012	Reason Code
CSW				
4300024	11/2/2009	Bensington Arms Company, LLC	790	5
2200208	10/8/2010	Team Ward, Inc.	450	2
2200016	12/2/2010	Big River Outfitters, LLC	395	6
7400029	12/8/2010	Sloan Valve - Augusta Division	389	6
5700001	1/26/2011	Nidec Motor Company	340	6
7000039	2/14/2011	Martin Operating Partnership, L.P.	321	5
1800068	2/18/2011	Farr APC	317	3
6000004	3/1/2011	Porcel Corporation	306	5
6000404	3/11/2011	HWRT Terminal - North Little Rock, LLC	296	5
1700016	3/11/2011	AFCO Steel, LLC	296	5
6001529	6/7/2011	Caterpillar, Inc.	208	5
5700001	6/13/2011	Nidec Motor Company	202	3
5700001	6/15/2011	Nidec Motor Company	200	3
6000574	7/7/2011	Magellan Terminals Holdings, L.P. - NLR-South Terminal	178	5
8800272	8/1/2011	RK Hall Construction, Ltd. Kirby Quarry and Asphalt Plant #5	143	5
1400175	8/16/2011	Quantum Resources Management, LLC, Walker Creek Production Facility	136	6
2100067	8/18/2011	TransMontagor - Arkansas City	135	5
7300785	8/24/2011	Arkansas Reclamation Company, LLC	130	6
5400435	9/2/2011	Quagaw Products, LLC	121	7
6600026	9/12/2011	Dice Consumer Products, LLC	111	6
1400730	9/12/2011	Bonanza Creek Energy Resources Field Office - Dorcheat Gas Process	111	6
1800077	9/14/2011	Newberry Tanks & Equipment Inc.	109	6
2100144	9/19/2011	Ainsworth Pet Nutrition, Inc.	104	5
1400726	9/26/2011	McDonald No. 1 Tank Battery, Cypress Creek Field	97	6
6000653	10/5/2011	Tarco, Inc.	88	6
0400198	10/6/2011	McKee Foods Corporation	87	6
6000404	10/7/2011	HWRT Terminal - North Little Rock, LLC	86	3
2300093	10/17/2011	Kimberly-Clark Corporation, Conway Personal Care Facility	78	7
2600234	10/18/2011	Mid-America Distillations, Inc.	75	6
0300446	10/25/2011	Legend Marine Management, LLC	68	2
7200250	10/26/2011	Cargill, Inc. - Feed Mill	67	6
2100058	10/28/2011	Harvest Rice, Inc.	65	6
4600114	11/1/2011	Smith Blair, Inc.	61	5
5800096	11/7/2011	Thompson Industries	55	2
0800002	11/8/2011	Tyson Foods - Berryville	54	2
7000039	11/9/2011	Martin Operating Partnership, L.P.	53	5
6000631	11/10/2011	Univar USA, Inc. - Little Rock Branch	52	3
8800907	11/14/2011	Hutchens Construction, Inc.	48	6
1800146	11/14/2011	TETRA Chemicals West Memphis	48	2
0400737	11/15/2011	Walmart East Data Center/David Glass Technology Center, Facility #892	47	2

Reason Code	
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:	12/31/2011
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State Fiscal Quarter	Second
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### Hazardous Waste Management Permits

Post-Closure:	5
Hazardous Waste Management:	13

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Applications Pending	4
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Type/Name	Permit No.	Days Pending	Reason Code
Permit Modification/Rineco/Add Storage Units	28H-RN1	442	3
Permit Modification/Rineco/Add TMW Unit	28H-RN1	442	3
Permit Modification/Aerojet/General Updates	8H-RN1	45	3
Permit Modification/GLCC/5-Year Review Updates	18H-RN1	17	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: 12/31/2011

State Fiscal Quarter 2nd FY12

## Mining Division Permits/Category

Coal Mining		Open-Cut Mining	
Active	7	Sand and Gravel	147
Exploratory		Clay	40
		Shale	19
		In-Stream	5
		Soil	33
		Other	11
Coal Total	7	Open-Cut Total	255
Total Mining Permits	262		

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## Permits Pending- By Category/Facility

COAL MINING	Days Pending	Reason Code
OPEN-CUT MINING	Days Pending	Reason Code
Arkansas Gravel Co.	477	2
Haley Sand and Gravel	439	2
Joey Baker	246	3
WNLR, LLC	197	3
Mountain View Ready Mix, Inc.	192	2
Stone Hill Fill	183	8
Arlie Weems	163	3
Dixon Trust	138	5
Vulcan Materials	102	2
Main Street Pit, LLC	102	3
U S Silica	86	4
T & H Mining No. 4	51	5

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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:	12/31/2011
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State Fiscal Quarter	2
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### Solid Waste Management Permits/Category

Class 1 Landfills	41
Class 3 Landfills	31
Class 4 Landfills	39
Compost Facilities	32
CDMRF	0
Tire Processing Facilities	9
Transfer Station/WRFs	86

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### Permits Pending- By Category/Facility

Class 1 Landfill Apps/Mods	Days Pending	Reason Code
WCA - Rolling Meadows Expansion	1611	3
Craighead County Major Mod	1082	2
BFI Class 1 Landfill	1026	3
NABORS Class 1 Minor Mod	303	3
City of Conway Class 1	757	3
Mississippi Co Class 1	243	3
WM Two Pine Minor Mod	179	3
WM - Jefferson Co. Minor Mod	171	3
BFI Saline County Minor Mod	227	3
WCA Rolling Meadows Minor Modification	228	3

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Class 3 Landfill Apps/Mods	Days Pending	Reason Code
Entergy Independence	1857	2
Entergy White Bluff	960	2
EMS 3T minor mod	537	2

Class 4 Landfill Apps/Mods	Days Pending	Reason Code
City of Conway Permit Application	2218	3
Cleburne County Class 4	915	2
Pulaski Co Class 4	347	2
Clark County	596	3

Compost Facility Apps/Mods	Days Pending	Reason Code
Bentonville Compost	919	6
City of Eureka Springs Compost	1047	6
B&D Litter	285	3
City of Hot Springs	185	3

<b>C&amp;DRF Apps/Mods</b>		<b>Days Pending</b>	<b>Reason Code</b>
Energy Source		460	3

<b>Tire Processing Facility Apps/Mods</b>		<b>Days Pending</b>	<b>Reason Code</b>
W2Oil		746	9
White River RSWMD Tire Processor		270	2
<b>Transfer Station Apps/Mods</b>		<b>Days Pending</b>	<b>Reason Code</b>
City of Siloam Springs TS		376	2
<b>WRF Apps/Mods</b>		<b>Days Pending</b>	<b>Reason Code</b>
Jefferson Co SWRF		165	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:

**WATER DIVISION**  
**Permits Branch, No Discharge Section**

As of:	1/3/2012
State Fiscal Quarter	2

**Active No-Discharge Permits**

Agriculture	294
Industrial	1221
Salt Water Disposal	531
Municipal	46
Domestic	6
Underground Injection Control (UIC)	7

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**Permits Pending Greater than 45 Days**

<u>Facility</u>	<u>Permit Number</u>	<u>Days Pending</u>	<u>Reason Code</u>
Bethel Oaks Subdivision	4875-WR-1	49	1
Bunn Engine Rebuilding	5122-W	49	1
Eastside WWTP	5142-W	63	1
Gravel Reclamation Facility	5093-WR-1	69	1
Recycle Solutions Biosolid Facility	5133-W	92	1
Water Edge Development	4746-WR-2	116	1
Brushy Farms, Inc.	4105-WR-2	118	10
J.V. Manufacturing, Inc.	5127-W	123	1
Thomas Swine Farm	3740-WR-3	125	10
Alexander Farm II	4188-WR-3	125	10
Steve Alexander Farm	4289-WR-3	125	10
Greene Farm	4327-WR-1	125	10
Terra Renewal Services, Inc.	4812-WR-4	125	10
Crawley's Valley View Farms, LLC	4838-WR-1	125	10
Nebo Residuals Land Application Sites	5134-W	125	10
Ballard Creek Farm	4248-WR-2	130	10
Stonewall Ranch Yorkies	5128-W	140	1
Terra Renewal Services, Inc.	4736-WR-6	148	10
Cave Springs Wastewater Treatment Plant	4893-WR-2	152	1
Russellville Treatment Plant	5126-W	152	1
Nebo Residuals Services, Inc.	5131-W	152	10
State Line Vacuum Services, LLC	5132-W	152	1
Terra Renewal Services, Inc.	4652-WR-5	153	10
Terra Renewal Services - Madison Co.	4739-WR-5	153	10
Elm Springs Treatment Works	4791-WR-2	153	1
Terra Renewal - Independence Co.	4906-WR-2	153	10
Clinton West Wastewater Treatment Facility	5129-W	153	1
Clinton East Wastewater Treatment Facility	5130-W	153	1
Verl Stovall Swine Farm	3674-WR-3	160	10
Delta Plastics of the South, LLC	4876-WR-1	176	1
Nebo Residuals Services, Inc.	5123-W	196	10
Hwy 330 Land Application Site	5084-W	203	10
Lyles Co., LLC	4040-WR-1	207	1
Terra Renewal Services	4485-WR-8	207	10
Terra Renewal Services, Inc.	4741-WR-7	207	10
Landfill	5118-W	207	1
Wayne Farms, LLC	5119-W	207	10
Terra Renewal Services, Inc.	5121-W	207	10
Pet Solutions, LLC	3778-WR-5	251	1
Heifner Farm	4185-WR-3	258	10
Devonshire Lake Condominiums	4861-WR-1	264	1

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**WATER DIVISION**  
**Permits Branch, No Discharge Section**

Bub's, Inc.	4782-WR-3	266	9
Ivan Andersen Dairy	4320-WR-1	279	10
Producers Rice Mill, Inc.	2199-WR-6	285	1
Brine Management and Pretreatment System, West Plant	0690-WR-4	292	1
Smitty's Septic Service	4395-WR-5	305	1
J. D. Vaught Farm	2511-WR-2	308	10
Minieola Farms	4270-WR-3	314	10
Terra Renewal Services, Inc.	4823-WR-5	335	10
Cannon Farm	4388-WR-1	342	10
City of Perry Wastewater Treatment Plant	2013-WR-4	344	1
Terra Renewal Services, Inc.	4846-WR-1	447	10
Elna M. Smith Foundation	3961-WR-2	515	1
Mississippi County Landfill	5091-W	515	9
Clear Creek Environmental	5086-W	572	10
FutureFuel Chemical Company	5082-W	614	10
Stone Dam Creek Wastewater Plant	4853-WR-2	643	1
Great Lakes Newell	0015-UR-2	657	1
Treasure Isle R.V.	1664-WR-2	679	2
3M Industrial Mineral Products	4584-WR-2	866	1
Bohannon No. 4 SWD	5056-W	872	9
Capstone Oilfield Disposal Well No. 1	5058-W	901	9

**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.)
10	finalizing research and/or writing new permit language

Arkansas Department of Environmental Quality  
Section 38 Report, Water Division, Q1 SFY 2012  
Permit Applications > 45 Days

1/5/2012

As of:	1/1/2012
State Fiscal Quarter	1

### NPDES Permits/Category

<b>Individual Permits</b>	
Municipal	386
Industrial	453
<b>Stormwater Permits</b>	
Construction	967
Industrial	1724
Small Municipal Separate Storm Sewer System (MS4)	46
Individual	1
<b>General Permits</b>	
Landfill	36
Non-Contact Colling Water	11
Aggregate Facilities	40
Individual Treatment	173
Water Treatment	128
Hydrostatic Testing	27
Car Wash	17
Ground Water	14
<b>Total</b>	<b>4023</b>

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### Permits Pending- By Category/Facility

Q1 SFY 2012

Permit Number	Owner Name	Facility Name	Days Pending	Reason Code
AR0000752		El Dorado Chemical Company	1825	8
AR0049743		El Dorado Water Utilities	1537	8
AR0035386		FutureFuel Chemical Company	1306	5
AR0001171		Chemtura Corporation d/b/a Great Lakes Chemical Corporation - Central Plant	1270	8
AR0022063		City of Springdale	1195	4
AR0000647	Lion Oil Company	El Dorado Refinery	1069	8
AR0022446		City of Fisher	779	8
ARS000002		City of Little Rock and Arkansas Highway Department	667	6
AR0050431		Blackstone Ranch Property Owners Association	664	3
AR0050253	Fritts Construction, Inc.	Hayden's Place Subdivision	618	6
AR0050563	Landers BCO, LLC	d/b/a Crossroads Village	590	6
AR0038857		Albemarle Corporation - South Plant	590	8

Arkansas Department of Environmental Quality  
Section 38 Report, Water Division, Q1 SFY 2012  
Permit Applications > 45 Days

1/5/2012

**Permits Pending- By Category/Facility**

**Q1 SFY 2012**

Permit Number	Owner Name	Facility Name	Days Pending	Reason Code
AR0050539	Central Arkansas Utility Services	Pinewood Estates Subdivision	586	6
AR0050288	City of Fayetteville	West Side Wastewater Treatment Facility	569	8
AR0043397		City of Rogers	552	8
AR0050326	Central Arkansas Utility Services, Inc.	Reunion	540	3
AR0021954		City of Turrell	520	8
AR0045284		City of Cash	513	8
AR0034070		City of Lavaca	501	2
AR0020184		City of Gentry	500	2
AR0037842	Southwestern Electric Power Company	Flint Creek Power Plant	489	4
AR0048950	Umetco Minerals Corporation	d/b/a Wilson Mine Area	478	8
AR0036331	Entergy Arkansas, Inc.	d/b/a Entergy-White Bluff Plant	422	4
AR0033391		City of Cotton Plant	409	8
AR0048241	B.J.'s Pit Stop, Inc.	Lakecenter Grocery and Deli	405	8
AR0050547		Two Rivers Harbor Subdivision	404	8
AR0020010	City of Fayetteville	Paul R. Noland Wastewater Treatment Plant	391	4
AR0044822		Town of Higginson	387	8
AR0036692	City of Mena	Mena Wastewater Treatment Plant	361	7
AR0000591		Martin Operating Partnership L.P.	361	7
AR0051951	Conway Corporation	Tupelo Bayou Wastewater Treatment Plant	339	6
AR0050466	Arkansas Water and Wastewater Management Corporation	d/b/a Shadow Ridge Wastewater Treatment Facility	325	3
AR0050598	Arkansas Water and Wastewater Management Corporation	d/b/a Huntington Estates Subdivision	325	3
AR0037451	Entergy Arkansas, Inc.	Independence Plant	318	2
AR0045047	Village Square of HSV, LLC	dba Village Square Shopping Center	304	2
AR0050423	Cross County Bank	d/b/a Pond-A-Rose Trailer Park	289	6
AR0048232	Travis Lumber Company, Inc.	Travis Lumber Company, Inc.	282	6
AR0000582	Alcoa Inc.	Arkansas Remediation	265	2
AR0050580	Alabama Catfish, LLC	Harvest Select Catfish Eudora	265	2
AR0051900	Farrell-Cooper Mining, Co.	Bates Mine	250	2

Arkansas Department of Environmental Quality  
Section 38 Report, Water Division, Q1 SFY 2012  
Permit Applications > 45 Days

1/5/2012

**Permits Pending- By Category/Facility** **Q1 SFY 2012**

Permit Number	Owner Name	Facility Name	Days Pending	Reason Code
AR0038768		Wayne Farms, LLC	247	7
AR0038270	Baker Hughes Oilfield Operations	d/b/a Baker Hughes Drilling Fluids - Fancy Hill Operations	237	7
AR0001376	Entergy Arkansas, Inc.	Cecil Lynch Plant	237	5
AR0042455	Tyson Foods, Inc.	d/b/a River Valley Animal Foods	237	6
AR0041297		Montrose Waste Water Facilities	216	2
AR0043401	City Water and Light Plant of the City of Jonesboro	Eastside Wastewater Treatment Plant	216	6
AR0042846		Ash Grove Cement Company	212	2
AR0020605		City of Arkadelphia	207	2
AR0039675		City of Alicia	207	2
AR0037842C	Southwestern Electric Power Company	Flint Creek Power Plant	195	2
AR0050083C	Kinder Morgan Bulk Terminals, Inc.	Barfield Facility	192	5
AR0050083M	Kinder Morgan Bulk Terminals, Inc.	Barfield Facility	192	5
AR0051128C	Kinder Morgan Bulk Terminals, Inc.	Hickman Facility	192	5
AR0051128M	Kinder Morgan Bulk Terminals, Inc.	Hickman Facility	192	5
AR0021806	Little Rock Wastewater	Adams Field Wastewater Treatment Plant	185	2
AR0049531		City of Horseshoe Lake	184	2
AR0036544		Viskase Companies, Inc.	172	2
AR0047279	City of Conway	Tucker Creek Wastewater Treatment Plant	171	6
AR0045225		City of Newport-Airport/Industrial Park	167	6
AR0048194	North Garland County Youth Center	Paul Bewie Boys & Girls Club	167	2
AR0050601		City of Banks	165	2
AR0049557	Plum Point Services Company, LLC and Plum Point Energy Associates II, LLC	Plum Point Energy Station	164	2
AR0047384	Anthony Forest Products Company	Urbana Sawmill	164	2
AR0022250		City of Dermott - South Pond	158	2
AR0033278		City of Fort Smith - "P" Street WWTP	158	6
AR0047996		Gillham Regional Wastewater District	158	3

Arkansas Department of Environmental Quality  
Section 38 Report, Water Division, Q1 SFY 2012  
Permit Applications > 45 Days

1/5/2012

**Permits Pending- By Category/Facility**

**Q1 SFY 2012**

Permit Number	Owner Name	Facility Name	Days Pending	Reason Code
AR0041149		Arkansas Military Department, Camp Joseph T. Robinson	156	5
AR0036811	Arkansas Department of Parks & Tourism	Lake Ouachita State Park	146	5
AR0037087	Arkansas Department of Parks & Tourism	Woolly Hollow State Park	146	5
AR0049409		Vanndale - Birdeye Water	146	2
AR0038121	Arkansas Department of Parks & Tourism	Lake Catherine State Park	146	5
AR0044423M		Jessieville School District	146	2
AR0044423C		Jessieville School District	146	2
AR0037320M		Monte Ne @ Beaver Lake Camp Resort	145	7
AR0045934		City of Birdsong	142	5
AR0050156	B-H-T Investment Company, Inc.	Doublebees Store	136	2
AR0050679		Hillcrest Camshaft Service, Inc.	136	2
AR0020320	North Little Rock Wastewater Utility	Five Mile Creek Wastewater Treatment Plant	132	5
AR0022586	City of Blytheville	North Treatment Facility	132	2
AR0037176		City of Sherwood - North Facility	128	2
AR0042226		Rolling Meadows Mobile Home Estates	123	2
AR0021831		City of Monticello - East Plant	123	5
AR0049581		The Family Church	118	2
AR0039781		City of Hackett	111	2
AR0045977M	Nucor Steel - Arkansas, Division of Nucor Corporation	Hickman Mill	108	2
AR0048011		City of Pottsville	100	2
AR0045471		Youth Home, Inc.	100	2
AR0021971		City of Marion	100	5
AR0049425	Associated Electric Cooperative, Inc.	Dell Power Plant	100	5
AR0052027		G & B Terminal, Inc. and Affiliates	97	2
AR0049077	Boy Scouts of America	Gus Blass Scout Reservation	97	2
AR0034401	Fairfield Bay Wastewater Corporation	Dave Creek Wastewater Treatment Plant	93	2
AR0050296		Lion Oil Company Great Lake Chemical Corporation El Dorado Chemical Company El Dorado Water Utilities	87	5

**Permits Pending- By Category/Facility**

**Q1 SFY 2012**

Permit Number	Owner Name	Facility Name	Days Pending	Reason Code
AR0050750C	Fountain Properties, LLC	d/b/a Fountain Lake Healthcare and Rehab	83	5
AR0052019	TA Operating, LLC	Petro Stopping Centers, LP #326	83	2
AR0037435		Holiday Shores Resort	83	5
AR0020087		Forrest City Wastewater Treatment Plant	83	5
AR0046141		Mountain Valley Retreat Center	83	5
AR0048399		Maple Creek Farms Tract C H	83	2
AR0049328	Saline County Property Owners' Improvement District #37 Riverside Hills Subdivision Project	Saline County Property Owners' Improvement District #37 Wastewater Treatment Plant	83	5
AR0043290		Town of Knobel	81	5
AR0049417		KGen Hot Spring, LLC	74	5
AR0049344		City of Plainview	62	5
AR0041432		City of Delight	62	5
AR0050148C	City of Hot Springs	Southwest Wastewater Treatment Plant	62	5
AR0050571	Faulkner County Public Facility Board	d/b/a Preston Community Wastewater Utility	62	2
AR0049361		City of Menifee	61	5
AR0049611		Hot Spring Power Company, LLC	60	5
AR0000523C		Evraz Stratcor, Inc.	59	2
AR0047554C		City of Ward	59	2
AR0052035		Wooten Sand & Gravel, Inc.	58	5
AR0050750	Fountain Properties, LLC	d/b/a Fountain Lake Healthcare and Rehab	58	5
AR0045608C		City of Sherwood - South Facility	54	5
AR0037176C		City of Sherwood - North Facility	54	5
AR0002968	Domtar A.W. LLC	Ashdown Mill	54	5
AR0041416C	Mentor ABI, LLC, d/b/a	NeuroRestorative Timber Ridge Ranch	54	5

**Reason Codes:**

1	Waiting for Public Hearing on WQMP
2	Reviewing drafted permit
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:** January 3, 2011

**TO:** LEGISLATIVE COUNCIL

**FROM:** TERESA MARKS, DIRECTOR  
ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY

**RE:** SECTION 38 (a) – (e) of ACT 1387 OF THE 2009 REGULAR  
SESSION OF THE ARKANSAS GENERAL ASSEMBLY

As provided by Section 38 (a) –(e) of Act 1387 of the 2009 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, 2011 through December 31, 2011. 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 67.

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, 2011 through December 31, 2011.

Type of Enforcement Action	Defendant	Geographic Location
Filing Fee	Paul Lukashuk	Greene County Circuit Court
Filing Fee	Eastern Ozark Regional Health Clinic	Sharp County Circuit Court
Filing Fee	Tripod Development	Boone County Circuit Court
Filing Fee	Rustown Homes, Inc.	Saline County Circuit Court

d

The Department presents the total amount of fines and collections from Supplemental Environmental Projects verified by the Department for the period of October 1, 2011 through December 31, 2011.

Civil Penalties Collected	\$456,895.98
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Supplemental Environmental Projects Verified	\$0.00
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## **ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY**

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### **CONSENT ADMINISTRATIVE ORDERS**

LaCroix Optical Company, Inc., Independence County, Hazardous Waste Division,



\$4,500.00 Penalty

Unilin Flooring NC, LLC-Columbia Flooring Division, Izard County, Air Division, \$2,902.50 Penalty

University of Arkansas for Medical Sciences, Pulaski County, Hazardous Waste Division, \$7,500.00 Penalty

Dated this 10<sup>th</sup> day of October 2011  
Teresa Marks, Director  
Arkansas Department of Environmental Quality

## **ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY**

### **NOTICE OF ENFORCEMENT ACTIONS**

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### **CONSENT ADMINISTRATIVE ORDERS**

Deaton Oil Company, LLC, Clark County, Regulated Storage Tanks Division,  
\$20,000.00 Penalty

Desoto Sand, LLC, Pulaski County, NPDES/Water Division, \$5,100.00 Penalty

Enterprise TE Products Pipeline Company, LLC, Pipeline P-2/Milepost 250.0,  
Hazardous Waste Division, No Penalty

Mountain Home Concrete, Inc., Marion County, Mining Division/Water Division,  
\$1,000.00 Penalty

Stephens Production Company, Sebastian County, Water Division, \$1,000.00  
Penalty

UMETCO Minerals Corporation, d/b/a Wilson Mine, Garland County,  
NPDES/Water Division, \$40,600.00 Penalty

### **NOTICES OF VIOLATION**

Construction Waste Management, Inc., Faulkner County, Solid Waste Division,  
Proposed Penalty \$23,500.00

Corriente Ridge, LLC d/b/a Rock Connection, Grant County, Mining Division,  
Proposed Penalty, \$7,625.00

Geeding Construction, Inc., Pulaski County, Regulated Storage Tanks Division,  
Proposed Penalty, \$1,500.00

Military Department of Arkansas, Pulaski County, Regulated Storage Tanks  
Division, Proposed Penalty, \$6,450.00

Pond and Company, Pulaski County, Regulated Storage Tanks Division, Proposed  
Penalty, \$1,500.00

Quik-Way Lube & Tire, Inc., Hot Spring County, Regulated Storage Tanks  
Division, Proposed Penalty, \$46,125.00

James Williams, Jointly and Severally, David Williams, Jointly and Severally, Bill Pettway, Jointly and Severally, and Patty Pettway, Jointly and Severally, Hazardous Waste Division, Proposed Penalty, \$105,875.00

Dated this 25<sup>th</sup> day of October 2011  
Teresa Marks, Director  
Arkansas Department of Environmental Quality

## **ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY**

### **NOTICE OF ENFORCEMENT ACTIONS**

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## **CONSENT ADMINISTRATIVE ORDERS**

Bonanza Creek Energy Resources, LLC, Lafayette County, Air Division,  
\$12,570.00 Penalty

Bub's Inc., Washington and Madison Counties, Water Division, \$25,000.00  
Penalty

Delta Natural Kraft, LLC, Jefferson County, Air Division, \$3,780.00 Penalty

ESS Transportation, Inc., Van Buren County, NPDES/Water Division, \$7,900.00  
Penalty

Extex Operating Company, Tract 3 Production Facility and Office/Saltwater  
Disposal Facility, Tract 9 Production Facility and Office/Saltwater Disposal  
Facility, Tract 12 Production Facility and Office/Saltwater Disposal Facility,  
Lafayette County, Air Division, \$6,716.25 Penalty

Fayetteville Gathering Company, Jackson County, Air Division, \$900.00 Penalty

Nortech Graphics, Inc., Boone County, Air Division, \$3,465.00 Penalty

Travis Lumber Company, Inc., Scott County, Air Division, \$2,096.25 Penalty

## **NOTICES OF VIOLATION**

B-B Oil Company, Inc., Mr. Shell Blakely, Registered Agent, Lonoke County,  
Regulated Storage Tanks Division, \$750.00 Proposed Penalty

Fort Smith Petroleum Equipment, Inc., Benton County, Regulated Storage Tanks  
Division, \$6,750.00 Proposed Penalty

L&L Oil Company, Inc., Marion County, Regulated Storage Tanks Division,  
\$1,650.00 Proposed Penalty

National Park Service Buffalo National River, Mark Foster Facility Manager,  
Searcy County, Regulated Storage Tanks Division, \$9,000.00 Proposed Penalty

Petromark, Inc., Mr. Steven D. Turner Registered Agent, Newton County,  
Regulated Storage Tanks Division, \$3,000.00 Proposed Penalty

## **ELECTIVE SITE CLEAN-UP AGREEMENT**

Jimmy Sanders, Inc., Mississippi County, Hazardous Waste Division, No Penalty

### **AMENDMENT TO ELECTIVE SITE CLEAN-UP AGREEMENT LIS 09-144**

Basler Electric Company, Regarding Basler Electric Manufacturing facility,  
Craighead County, Hazardous Waste Division, No Penalty

Dated this 10<sup>th</sup> day of November 2011  
Teresa Marks, Director  
Arkansas Department of Environmental Quality

## **ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY**

### **NOTICE OF ENFORCEMENT ACTIONS**

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intervene in any hearing in the matter by filing a petition for intervention with the Commission Secretary. Any such petition must be filed in accordance with applicable regulations and sent to the Commission Secretary, 101 East Capitol, Suite 205, Little Rock, Arkansas 72201.

### **CONSENT ADMINISTRATIVE ORDERS**

Anthony Hardwood Composites, Inc., Grant County, Air Division, \$1,800.00  
Penalty

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

Hickman Trenching Company, Benton County, Water Division, \$1,500.00 Penalty

Poinsett County Class 4 Landfill, Poinsett County, Solid Waste Division, No  
Penalty

### **NOTICES OF VIOLATION**

George Ivory Law Firm, and George Ivory Individually, Ouachita County,  
Hazardous Waste Division, \$21,250.00 Proposed Penalty

Herman Companies, Inc., d/b/a Anchor Packaging, Division of Hermann  
Companies, Inc., David L. Taylor, Registered Agent, Greene County, Air Division,  
\$52,974.00 Proposed Penalty

Petroleum Traders Corporation, National Registered Agents, Inc., of AR, Madison  
County, Regulated Storage Tanks Division, \$1,500.00 Proposed Penalty

### **AMENDED NOTICE OF VIOLATION**

Quik-Way Lube & Tire, Inc., Mr. Eddie F. Ritter, Registered Agent, Hot Spring  
County, Regulated Storage Tanks Division, \$45,125.00 Proposed Penalty

Dated this 25<sup>th</sup> day of November 2011  
Teresa Marks, Director  
Arkansas Department of Environmental Quality

## **ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY**

### **NOTICE OF ENFORCEMENT ACTIONS**

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### **CONSENT ADMINISTRATIVE ORDERS**

Big River Industries Inc., Crittenden County, Air Division, \$2,902.50 Penalty

City of Conway – Tucker Creek WWTP, Faulkner County, NPDES/Water Division, \$5,800.00 Penalty

City of Searcy Type Y Compost, White County, Solid Waste Division, No Penalty

Freeman Brothers, Inc., d/b/a Bibler Brothers Lumber Company, Pope County, Air Division, \$8,715.00 Penalty

John Sinclair Production, LLC., Union County, Water Division, \$7,000.00 Penalty

L&L Oil Company, Inc., Marion County, Regulated Storage Tanks Division,  
\$1,250.00 Penalty

Mad Jack's #2, LLC, White County, NPDES/Water Division, \$5,400.00 Penalty

Sherwood Marble Company, Inc, Pulaski County, Air Division, \$4,860.00 Penalty

U.S. Army Pine Bluff Arsenal, Jefferson County, Hazardous Waste Division,  
\$5,000.00 Penalty

### **NOTICES OF VIOLATION**

Charlie Porter, Individually d/b/a Poor Man's Towing, Pulaski County,  
NPDES/Water Division, \$2,200.00 Proposed Penalty

Milam Construction Company, Inc., Mr. Jimmy W. Milam, Registered Agent,  
Lonoke County, Regulated Storage Tanks Division, \$1,500.00 Proposed Penalty

Norfleet Edward Smith Living Trust, Lonoke County, Regulated Storage Tanks  
Division, \$1,500.00 Proposed Penalty

### **PERMIT APPEAL RESOLUTION**

City of Little Rock, Arkansas, Little Rock Zoological Gardens, Pulaski County,  
NPDES/Water Division, No Penalty

Dated this 10<sup>th</sup> day of December 2011

Teresa Marks, Director

Arkansas Department of Environmental Quality



## **ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY**

### **NOTICE OF ENFORCEMENT ACTIONS**

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### **CONSENT ADMINISTRATIVE ORDERS**

City of Gilmore, Crittenden County, NPDES/Water Division, \$1,000.00 Penalty

City of Lepanto, Poinsett County, NPDES/Water Division, \$400.00 Penalty

Concord Water and Sewer Public Facilities Board, Crawford County,  
NPDES/Water Division, \$2,400.00 Penalty

G&B Terminal, Inc., Phillips County, Air Division, \$5,075.00 Penalty

First Western Bank Chelsea Pointe Subdivision, Benton County, NPDES/Water  
Division, \$7,130.00 Penalty

**AMENDED CONSENT ADMINISTRATIVE ORDER**

Mueller Copper Tube Products, Inc., Cross County, Hazardous Waste Division, No Penalty

**NOTICES OF VIOLATION**

Carroll Electric Cooperative Corporation, Madison County, Regulated Storage Tanks Division, \$3,000.00 Proposed Penalty

Johnny Crisp, Marion County Road 6089 and Vision Lane, Marion County, Hazardous Waste Division, \$8,000.00 Proposed Penalty

Quick Transport of Arkansas, LLC, Sebastian County, Regulated Storage Tanks Division, \$3,000.00 Proposed Penalty

Dated this 25<sup>th</sup> day of December 2011  
Teresa Marks, Director  
Arkansas Department of Environmental Quality

ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION

QUARTERLY REPORT TO ARKANSAS LEGISLATIVE COUNCIL

e

ON RULEMAKING ACTIVITIES

Months In Quarter: October, November, and December 2011

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. 2, Regulation Establishing Water Quality Standards for Surface Waters of the State of Arkansas; Docket No. 10-002-R.

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

**b. Description:** ADEQ filed its request to initiate rulemaking on March 16, 2010. Proposed changes to Regulation 2 include clarification, updating, and correction of typographical errors, formatting, and text standardization throughout the regulation.

The Arkansas Pollution Control & Ecology Commission ("Commission") initiated the rulemaking process on May 27, 2010, and the Commission approved the withdrawal of the proposed amendments to Regulation No. 2 and closed the docket.

**c. Justification:** The Federal Water Pollution Control Act ("Clean Water Act") requires states to review their water quality standards on a triennial basis and to amend those standards as necessary.

**d. Economic Impact:** At this time it is not possible to estimate the costs associated with parameters being revised.

**e. Environmental Benefit Analysis:** The proposed changes are necessary to ensure that existing uses and designated uses for waters of the State, and the water quality necessary to protect those uses, are protected and maintained.

**3. Regulation Number and Name:** Regulation No. 18, Arkansas Air Pollution Control Code; Docket No. 11-001-R.

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

**b. Description:** ADEQ filed its request to initiate rulemaking on January 14, 2011. The changes are being proposed in response to the United States Environmental Protection Agency's ("EPA") June 3, 2010, Prevention of Significant Deterioration and Title V Greenhouse Gas Tailoring Rule

("Tailoring Rule"). The Tailoring Rule requires that greenhouse gases be subject to regulation under the Clean Air Act. Carbon dioxide is one of the gases listed in the Tailoring Rule as a greenhouse gas. The Commission's Regulation Number 18 currently excludes carbon dioxide from being an air contaminant. For state regulations to be consistent with EPA's Tailoring Rule, the exclusion of carbon dioxide from air contaminant needs to be removed.

The Commission adopted the minute order initiating the rulemaking process on January 28, 2011, and no final decision has been made.

**c. Justification:** For state regulations to be consistent with EPA's Tailoring Rule, the exclusion of carbon dioxide from air contaminant needs to be removed.

**d. Economic Impact:** The costs of the proposed amendments to Regulation Number 18 to the state government are unknown at this time.

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

**4. Regulation Number and Name:** Regulation No. 19, Regulations of the Arkansas Plan of Implementation for Air Pollution Control; Docket No. 11-002-R.

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

**b. Description:** ADEQ filed its request to initiate rulemaking on January 14, 2011. The changes are being proposed in response to EPA's June 3, 2010, Prevention of Significant Deterioration and Title V Greenhouse Gas Tailoring Rule. The Tailoring Rule requires that greenhouse gases be subject to regulation under the Clean Air Act. Language is being proposed to ensure emission levels under 75,000 tons per year will be considered "De Minimis" and increases of greenhouse gases under this level will not require a major permit modification.

The Commission adopted the minute order initiating the rulemaking process on January 28, 2011, and no final decision has been made.

**c. Justification:** Making these changes will maintain consistency between Federal air pollution control programs and the Commission's regulations governing air pollution in Arkansas, as well as maintain consistency across air pollution regulations.

**d. Economic Impact:** The costs of the proposed amendments to Regulation Number 19 to the state government are unknown at this time.

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

**5. Regulation Number and Name:** Regulation No. 26, Regulations of the Arkansas Operating Air Permit Program; Docket No. 11-003-R.

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

**b. Description:** ADEQ filed its request to initiate rulemaking on January 14, 2011. The changes are being proposed in response to EPA's June 3, 2010, Prevention of Significant Deterioration and Title V Greenhouse Gas Tailoring Rule. The Tailoring Rule requires that greenhouse gases be subject to regulation under the Clean Air Act. Carbon dioxide is one of the gases listed in the Tailoring Rule as a greenhouse gas. The Commission's Regulation Number 26 currently excludes carbon dioxide from being an air contaminant. For state regulations to be consistent with EPA's Tailoring Rule, the exclusion of carbon dioxide from air contaminant needs to be removed.

The Commission adopted the minute order initiating the rulemaking process on January 28, 2011, and no final decision has been made.

**c. Justification:** Making these changes will maintain consistency between Federal air pollution control programs and the Commission's regulations governing air pollution in Arkansas, as well as maintain consistency across air pollution regulations.

**d. Economic Impact:** The costs of the proposed amendments to Regulation Number 26 to the state government are unknown at this time.

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

**6. Regulation Number and Name:** Regulation No. 5, Liquid Animal Waste Management Systems; Docket No. 11-004-R.

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

**b. Description:** ADEQ filed its request to initiate rulemaking on October 14, 2011. This proposed rule will Provide: 1) Provide for an exemption for those liquid animal waste management systems that are permitted under a National Pollutant Discharge Elimination System ("NPDES") and the federal regulations governing concentrated animal feeding operations ("CAFOs"); and 2) Eliminate the continuing education requirements in the regulation and provide that removal of those requirements from a facility's waste management plan will qualify as a minor permit modification.

The Commission adopted the minute order initiating the rulemaking process on October 28, 2011, and no final decision has been made.

**c. Justification:** The primary change presented in this proposed rulemaking is the addition of an exemption from the requirements of the regulation for facilities that have chosen to receive coverage under an NPDES permit for a CAFO. This exemption will eliminate double permitting for liquid animal waste management systems. Neither federal regulations nor the general permit issued by ADEQ require continuing education for operators therefore ADEQ believes that it is no longer necessary to keep the continuing education requirements in the regulation.

**d. Economic Impact:** There will be no additional costs for implementing the regulation beyond existing costs for administration of this permitting program.

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

**7. Regulation Number and Name:** Regulation No. 6, Regulations for State Administration of the National Pollutant Discharge Elimination System (NPDES); Docket No. 11-005-R.

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

**b. Description:** ADEQ filed its request to initiate rulemaking on October 14, 2011. This proposed rule will: 1) Incorporate a reference to new federal regulations for discharges from concentrated animal feeding operations ("CAFOs") and eliminate previous text regarding dry litter systems; 2) Incorporate a permit by rule for Stormwater discharges from small construction sites; and 3) Incorporate the state law that requires financial assurance for non-municipal sewage treatment works.

The Commission adopted the minute order initiating the rulemaking process on October 28, 2011, and no final decision has been made.

**c. Justification:** This change is necessary to incorporate current federal regulations into our NPDES regulation and to avoid confusion regarding permitting of concentrated animal feeding operations, because ADEQ believes that a permit by rule is more properly located within a regulation, and this change is necessary to ensure that continued operations of these treatments systems in order to prevent discharge of untreated wastewater.

**d. Economic Impact:** The incorporation of a permit by rule for Stormwater discharges for small construction sites and financial assurance for non-municipal sewage treatment works are existing requirements found in other laws and, therefore, will not have any additional financial impact on the regulated community.



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

**8. Regulation Number and Name:** Regulation No. 14, Regulations and Administrative Procedures for the Waste Tire Program; Docket No. 11-006-R.

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

**b. Description:** ADEQ filed its request to initiate rulemaking on November 15, 2011. The changes make the regulation consistent with Act 744 of 2011; to correct a typographical error which references Chapter 13, instead of Chapter 14; to clarify the definition of "quantity"; and make formatting and stylistic changes.

The Commission adopted the minute order initiating the rulemaking process on December 2, 2011, and no final decision has been made.

**c. Justification:** These changes make the regulation consistent with Act 744 of 2011.

**d. Economic Impact:** These provisions may have an effect on small businesses.

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

**9. Regulation Number and Name:** Regulation No. 9, Fee Regulation; Docket No. 11-007-R.

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

**b. Description:** ADEQ filed its request to initiate rulemaking on November 18, 2011. This proposed rule will exclude carbon dioxide and methane from being included as chargeable emissions under air permit fees.

The Commission adopted the minute order initiating the rulemaking process on December 2, 2011, and no final decision has been made.

**c. Justification:** This proposed rule is necessary to alleviate future fees for emissions that facilities will require to pay due to proposed changes in Arkansas Pollution Control and Ecology Commission Regulation Numbers 18, 19, and 26 that have been proposed as a result of the United States Environmental Protection Agency's Greenhouse Gas Tailoring Rule and the materials and findings upon which the Greenhouse Gas Tailoring rule are based. The proposed changes will result in the permitting of greenhouse gases. These fees would be disproportionate in comparison to other permit fees currently in place and they would be far greater than the expenses that ADEQ anticipates would be necessary to permit greenhouse gases.

**d. Economic Impact:** ADEQ's estimated cost to implement this rule is expected to be minimal.

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

**10. Regulation Number and Name:** Regulation No. 30, Arkansas Hazardous Substance Remedial Action Trust Fund Priority Lists; Docket No. 11-008-R.

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

**b. Description:** ADEQ filed its request to initiate rulemaking on November 18, 2011. This proposed revision would delete five (5) sites where cleanup has been completed, and add one (1) site for investigation and potential remediation.

The Commission adopted the minute order initiating the rulemaking process on December 2, 2011, and no final decision has been made.

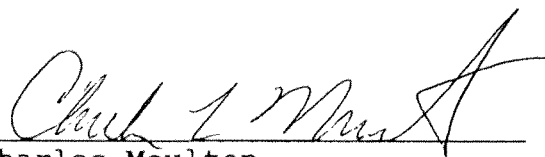
c. **Justification:** Ark. Code Ann. § 8-7-509(f) requires an annual review and update of the sites on the State Priority List.

d. **Economic Impact:** There will be no cost to the state agency and the amendments will have no financial impact on small business.

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

01/03/12

Date



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 = 10-01-11 to 12-31-11

Division	Fee Code	Description	Annual	Initial	Interim Authority	Modification	Renewal	Short-Term Authority	Total
AIR									
	G	General Operating Permit	\$ 20,000 100	\$ 800 4					\$ 20,800 104
	L5	Late Charge (Air T5)	\$ 783 1						\$ 783 1
	LC	Late Charge (Air LC)	\$ 593 10						\$ 593 10
	MS	Minor Source (Air MS)	\$ 246,111 184	\$ 3,950 2		\$ 8,604 20			\$ 258,665 206
	R3	Air Reg 18.315	2,600 13						\$ 2,600 13
	T5	Title 5 (Air T5)	\$ 4,016,334 99	\$ 17,950 1		61346 17			\$ 4,095,630 117
AIR TOTAL		Total	\$ 4,286,421 \$ 407	\$ 22,700 \$ 7	\$ - \$ -	\$ 69,950 \$ 37	\$ - \$ -	\$ - \$ -	\$ 4,379,071 \$ 451
SOLID WASTE									
	1	Class I Landfill	\$ 84,000 14			\$ 6,000 3			\$ 90,000 17
	3C	Class III commercial (SW 3C)							\$ - \$ -
	3T	Class III Tire Monofill (SW 3T)							\$ - 0
	3N	Class III Non-commercial	45,000 15						\$ 45,000 15

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# ADEQ REVENUE FROM AIR, WATER & SOLID WASTE PERMIT FEES

Figures generated from ADEQ Permit Data System. Date range = 10-01-11 to 12-31-11

Division	Fee Code	Description	Annual	Initial	Interim Authority	Modification	Renewal	Short-Term Authority	Total
	4	Class IV Landfill	6,500 13						\$ 6,500 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)	\$ 4,050 9						\$ 4,050 9
	LC	Late Charge (Solid Waste LC)	\$ 145 3						\$ 145 3
	P	Postclosure Fee (Solid Waste P)	\$ 2,000 4						\$ 2,000 4
	TS	Transfer Station or MRF	\$ 8,550 19	\$ 450 1					\$ 9,000 20
	WR	Solid Waste Recovery							\$ - 0
<b>SOLID WASTE TOTAL</b>		<b>Total</b>	<b>150,245 77</b>	<b>450 1</b>	<b>0 0</b>	<b>6,000 3</b>		<b>0 0</b>	<b>156,695 81</b>
<b>WATER - NPDES</b>									
	N-A	NPDES Agricultural (Minor With Toxic)	\$ 90,874 13						\$ 90,874 13

# ADEQ REVENUE FROM AIR, WATER & SOLID WASTE PERMIT FEES

Figures generated from ADEQ Permit Data System. Date range = 10-01-11 to 12-31-11

Division	Fee Code	Description	Annual	Initial	Interim Authority	Modification	Renewal	Short-Term Authority	Total
	N-B	NPDES Saltwater (Minor Without Toxic)	\$ 217,291 145	\$ 2,392 3		\$ 2,000 1			\$ 221,683 149
	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	\$ 5,200 13	\$ 800 2					\$ 6,000 15
	N-G5	NPDES Bulk Petroleum Storage							\$ - 0
	N-G6	NPDES Individual Home Treatment	\$ 2,200 11	\$ 400 2					\$ 2,600 13
	N-G7	NPDES Water Plant Backwash Filter	\$ 8,000 20						\$ 8,000 20
	N-G8	NPDES Pipeline Hydrostatic Test	\$ 400 2	\$ 1,400 7					\$ 1,800 9
	N-G9	NPDES Car/truck Wash Facility	\$ 400 2						\$ 400 2
	N-GA	Ground Water Clean-Up (Water-NPDES GA)	\$ 500 1	\$ 500 1					\$ 1,000 2
	N-GB	Laundromat (Water-NPDES GB)							\$ - 0

# ADEQ REVENUE FROM AIR, WATER & SOLID WASTE PERMIT FEES

Figures generated from ADEQ Permit Data System. Date range = 10-01-11 to 12-31-11

Division	Fee Code	Description	Annual	Initial	Interim Authority	Modification	Renewal	Short-Term Authority	Total
	N-GC	Sand and Gravel (Water-NPDES GC)	\$ 1,534 9	\$ 400 2					\$ 1,934 11
	N-GE	Cooling Towers; Tower & Boiler Blowdown (Water-NPDES GE)	\$ 800 4						\$ 800 4
	N-J	NPDES Major Non-municipal, MRAT 80-100	\$ 225,000 15						\$ 225,000 15
	N-K	NPDES Major Non-municipal, MRAT 80-100	\$ 44,000 4						\$ 44,000 4
	N-L	NPDES Discretionary Major							\$ - 0
	LC	Late Charge(Water-NPDES LC)	\$ 1,766 24						\$ 1,766 24
	LS	Late Charge (Storm Water)	\$ 1,300 65						\$ 1,300 65
	N-M	NPDES Major Municipal	\$ 226,880 25	\$ 18,500 1					\$ 245,380 26
	NO-EX	No-Exposure Certification (Water-NPDES)	\$ 17,033 86	\$ 1,200 6					\$ 18,233 92
	N-O	NPDES Minor Aquatic Animal Prod							\$ - 0
	N-P	NPDES Minor Variable Discharge	\$ 9,600 32	\$ 500 2					\$ 10,100 34

# ADEQ REVENUE FROM AIR, WATER & SOLID WASTE PERMIT FEES

Figures generated from ADEQ Permit Data System. Date range = 10-01-11 to 12-31-11

Division	Fee Code	Description	Annual	Initial	Interim Authority	Modification	Renewal	Short-Term Authority	Total
	N-Q	NPDES Construction Permit		\$ 2,500 5					\$ 2,500 5
	N-R1	NPDES Stormwater Manufacturing	\$ 108,333 550	\$ 10,000 50					\$ 118,333 600
	N-R2	NPDES Stormwater Construction	\$ 31,017 157	\$ 14,000 70					\$ 45,017 227
	R4	NPDES Stormwater: MSF Phase II	\$ 400 2						\$ 400 2
	Z	Interim Authority							0 0 0
WATER NPDES TOTAL		Total	1,023,436 1,186	52,592 151	0 0	2,000 1	0 0	0 0	1,078,028 1,338
TE WATER PERM	ST	Short-Term Authorization							\$ - 0
	S-D	Confined Animal or Small Sep	\$ 14,200 71						\$ 14,200 71
	S-E	State Permits Branch Commercial or Industrial	\$ 36,960 75	\$ 1,000 2		\$ 1,000 2			\$ 38,960 79
	S-F	Industrial Sludge App							\$ - 0
	S-G1	State Permits Branch Confined Animal Feedlot							\$ - 0
	GP	Oil & Gas Pits	300 1	2,400 8					\$ 2,700 9
	S-H	Salt Water Disposal (SPB H)	\$ 19,000	\$ 750		\$ 1,250			\$ 21,000



# ADEQ REVENUE FROM AIR, WATER & SOLID WASTE PERMIT FEES

Figures generated from ADEQ Permit Data System. Date range = 10-01-11 to 12-31-11

Division	Fee Code	Description	Annual	Initial	Interim Authority	Modification	Renewal	Short-Term Authority	Total
			76	3		5			84
	GLA	Oil & Gas Land Application							\$ - 0
	S-I	POTW Non-NPDES Land App	\$ 500 1						\$ 500 1
	LC	Late Charge(Water-SPB LC)	\$ 670 25						\$ 670 25
	Z	Interim Authority (Water-SPB Z)							\$ - 0
	ST	Short-Term Authorization (Water-SPB ST)		\$ 1,600 2				\$ 48,200 99	\$ 49,800 101
WATER - STATE PERMIT		Total	\$ 71,630 \$ 249	\$ 5,750 \$ 15	\$ - \$ -	\$ 2,250 7		\$ 48,200 \$ 99	\$ 127,830 \$ 370
	U-1	State Permits Branch UIC - Class I	\$ 30,000 2						\$ 30,000 2
	Z	Interim Authority							\$ - 0
UIC TOTALS		Total	\$ 30,000 2	\$ - 0	\$ - 0	\$ - 0		\$ - 0	\$ 30,000 2
TOTAL		Total	\$ 5,561,732 1,921	\$ 81,492 174	\$ - 0	\$ 80,200 48	\$ - 0	\$ 48,200 99	\$ 5,771,624 2,242

# ADEQ REVENUE FROM PERMIT FEES AND LICENSES

All figures generated 1/03/12, based on active invoices. Date range = 10-01-11 to 12-31-11

Invoice Identifier	Fee Code	Description	Fund	Collections
RST - Tank Installer Licenses	RST	Tank installer licenses	SRS0000	\$ 5,525.00
TKS - Storage Tank Fees	TKS	Storage Tank Fees		\$ 32,336.01
UST - Exam Fees	UST	Underground Storage Tank Exam Fees		\$ 19,850.00
ASB - Asbestos Licenses	ASB	Asbestos Licenses	SAC0000	\$ 18,935.00
LED - Individual Licenses - Lead	LED	Individual Licenses	MPL0000	\$ -
CCL - Contractors Licenses - Lead	CCL	Contractors Licenses	MPL0000	\$ -
			SAC0000	\$ 56,125.01
HWD - HW Permits	HWD	Hazardous Waste Permits	SHW0000	\$ 278,197.11
TRF - Transfer Facilities	TRF	Transfer Facilities		\$ -
HWL - HW Licenses	HWL	HW Licenses		\$ -
SFF - Superfund	HWD	Superfund permit fees	THS0000	\$ -
			MEE0000	\$ -
LAB - Lab Certification Fees	LAB	Lab Certification Fees	HMA0100	\$ 15,070.00
MPS - Mining Fees	MPS	Non-coal mining permit Fees	HMA0100	\$ 2,202.00
		Coal Mining Permit Fees	MAF0000	\$ 500.00
		Quarry Permit Fees	TLR0000	\$ 250.00
MBL - Mining Fees	MBL	Blaster Permits	MAF0000	\$ 20.00
DCO - Dump Control Officers	DCO	Dump Control Officer Licenses	TPE0000	\$ 200.00
SWL - Sanitary Landfill Operators	SWL	Sanitary Landfill Operator Licenses		\$ 3,665.00
TTL - Waste Tire Licenses	TTL	Waste Tire Licenses		\$ 105.00
TPF - Waste Tire Facilities	TPF	Waste Tire Facilities		
MER - Mercury Switches	MER	Mercury Switches	TWS0100	\$ 2,682.00
SWF - Municipal Landfills	SWF	Municipal Landfill Fees	TWS0100	\$ 331,833.11
			TWS0200	\$ 995,499.37
			TWS0300	\$ 850,092.68
ILF - Industrial Landfills	ILF	Industrial Landfill Fees	TWS0100	\$ 4,208.39
			TWS0200	\$ 12,403.68
			SMB0000	\$ 5,537.36
WWL - Wastewater Licenses	WWL	Waste Water Operator Licenses	MWW0000	\$ 7,198.00
Total				\$ 2,642,434.72

# ADEQ REVENUE FROM AIR, WATER & SOLID WASTE PERMIT FEES

Figures generated from ADEQ Permit Data System. Date range = 01/01/2010 to 12/31/2010 and 01/01/2011 to 12/31/2011

Division	Fee Code	Description	2010	2011	Difference	% Difference
AIR						
	G	General Operating Permit	\$ 69,267.00 347	\$ 81,850.00 410	\$ 12,583.00 63	18.17% 18.16%
	L5	Late Charge (Air T5)	\$ 15,222.00 7	\$ 4,425.00 7	\$ (10,797.00) -	-70.93% 0.00%
	LC	Late Charge (Air LC)	\$ 3,507.00 34	\$ 4,482.00 41	\$ 975.00 7	27.80% 20.59%
	MS	Minor Source (Air MS)	\$ 647,963.00 546	\$ 677,897.00 558	\$ 29,934.00 12	4.62% 2.20%
	MV RF	Motor Vehicle Racing Facility (Air MVRF)	\$ 800.00 4	\$ 600.00 3	\$ (200.00) (1)	-25.00% -25.00%
	R3	Air Reg 18.315	\$ 3,000.00 15	\$ 4,400.00 22	\$ 1,400.00 7	46.67% 46.67%
	T5	Title 5 (Air T5)	\$ 7,080,937.00 272	\$ 6,677,733.00 280	\$ (403,204.00) 8	-5.69% 2.94%
AIR TOTAL		Total	\$ 7,820,696.00 1,225	\$ 7,451,387.00 1,321	\$ (369,309.00) 96	-4.72% 7.84%
SOLID WASTE						
	1	Class I Landfill	\$ 172,000.00 33	\$ 173,000.00 35	\$ 1,000.00 2	0.58% 6.06%
	3C	Class III commercial (SW 3C)	\$ 10,000.00 2	\$ - -	\$ (10,000.00) (2)	-100.00% -100.00%
	3T	Class III Tire Monofill (SW 3T)	\$ 6,000.00 2	\$ 3,000.00 1	\$ (3,000.00) (1)	-50.00% -50.00%

# ADEQ REVENUE FROM AIR, WATER & SOLID WASTE PERMIT FEES

Figures generated from ADEQ Permit Data System. Date range = 01/01/2010 to 12/31/2010 and 01/01/2011 to 12/31/2011

Division	Fee Code	Description	2010	2011	Difference	% Difference
	3N	Class III Non-commercial	\$ 71,000.00 25	\$ 71,000.00 24	\$ - (1)	0.00% -4.00%
	4	Class IV Landfill	\$ 20,500.00 39	\$ 17,500.00 34	\$ (3,000.00) (5)	-14.63% -12.82%
	CD/RF	Construction & Demolition Waste Recovery (Solid Waste CDRF)	\$ 900.00 1	\$ - -	\$ (900.00) (1)	-100.00% -100.00%
	CL	Closed Facility (Solid Waste CL)	\$ 3,000.00 6	\$ 3,000.00 6	\$ - -	0.00% 0.00%
	CO	Composting Organic Waste (Solid Waste CO)	\$ 2,250.00 5	\$ 3,150.00 6	\$ 900.00 1	40.00% 20.00%
	CY	Composting Yard Waste (Solid Waste CY)	\$ 11,550.00 25	\$ 8,550.00 19	\$ (3,000.00) (6)	-25.97% -24.00%
	LC	Late Charge (Solid Waste LC)	\$ 990.00 4	\$ 880.00 8	\$ (110.00) 4	-11.11% 100.00%
	P	Postclosure Fee (Solid Waste P)	\$ 5,500.00 11	\$ 5,000.00 10	\$ (500.00) (1)	-9.09% -9.09%
	TS	Transfer Station or MRF	\$ 42,350.00 94	\$ 39,150.00 87	\$ (3,200.00) (7)	-7.56% -7.45%
	WR	Solid Waste Recovery	\$ 3,200.00 7	\$ 2,700.00 6	\$ (500.00) (1)	-15.63% -14.29%
SOLID WASTE TOTAL		Total	\$ 349,240.00 254	\$ 326,930.00 236	\$ (22,310.00) (18)	-6.39% -7.09%
WATER - NPDES						

# ADEQ REVENUE FROM AIR, WATER & SOLID WASTE PERMIT FEES

Figures generated from ADEQ Permit Data System. Date range = 01/01/2010 to 12/31/2010 and 01/01/2011 to 12/31/2011

Division	Fee Code	Description	2010	2011	Difference	% Difference
	N-A	NPDES Agricultural (Minor With Toxic)	\$ 218,062.00	\$ 170,916.00	\$ (47,146.00)	-21.62%
			32	29	(3)	-9.38%
	N-B	NPDES Saltwater (Minor Without Toxic)	\$ 741,156.00	\$ 761,711.00	\$ 20,555.00	2.77%
			563	579	16	2.84%
	N-C	NPDES Cooling Water	\$ 34,666.00	\$ 32,592.00	\$ (2,074.00)	-5.98%
			10	9	(1)	-10.00%
	N-G	NPDES Coal Mining (converted)	\$ 0.00	\$ 0.00	\$ -	0.00%
			0	0	-	0.00%
	N-G2	NPDES Coal Mining	\$ 800.00	\$ -	\$ (800.00)	-100.00%
			2	-	(2)	-100.00%
	N-G3	NPDES Sanitary Landfill Run-off	\$ 15,233.00	\$ 11,800.00	\$ (3,433.00)	-22.54%
			40	32	(8)	-20.00%
	N-G5	NPDES Bulk Petroleum Storage	\$ 14,733.00	\$ -	\$ (14,733.00)	-100.00%
			37	-	(37)	-100.00%
	N-G6	NPDES Individual Home Treatment	\$ 7,600.00	\$ 7,767.00	\$ 167.00	2.20%
			40	39	(1)	-2.50%
	N-G7	NPDES Water Plant Backwash Filter	\$ 51,600.00	\$ 38,800.00	\$ (12,800.00)	-24.81%
			129	97	(32)	-24.81%
	N-G8	NPDES Pipeline Hydrostatic Test	\$ 31,317.00	\$ 10,767.00	\$ (20,550.00)	-65.62%
			83	54	(29)	-34.94%
	N-G9	NPDES Car/truck Wash Facility	\$ 3,200.00	\$ 2,800.00	\$ (400.00)	-12.50%
			16	14	(2)	-12.50%
	N-GA	Ground Water Clean-Up (Water-NPDES GA	\$ 5,000.00	\$ 6,200.00	\$ 1,200.00	24.00%

# ADEQ REVENUE FROM AIR, WATER & SOLID WASTE PERMIT FEES

Figures generated from ADEQ Permit Data System. Date range = 01/01/2010 to 12/31/2010 and 01/01/2011 to 12/31/2011

Division	Fee Code	Description	2010	2011	Difference	% Difference
			10	13	3	30.00%
	N-GB	Laundromat (Water-NPDES GB)	\$ 0.00 0	\$ 0.00 0	\$ - -	0.00% 0.00%
	N-GC	Sand and Gravel (Water-NPDES GC)	\$ 7,800.00 39	\$ 8,251.00 44	\$ 451.00 5	5.78% 12.82%
	N-GE	Cooling Towers; Tower & Boiler Blowdown (Water-NPDES GE)	\$ 2,000.00 10	\$ 1,767.00 9	\$ (233.00) (1)	-11.65% -10.00%
	N-J	NPDES Major Non-municipal, MRAT>= 100	\$ 395,000.00 27	\$ 420,000.00 27	\$ 25,000.00 -	6.33% 0.00%
	N-K	NPDES Major Non-municipal, MRAT 80-100	\$ 92,798.00 9	\$ 88,000.00 8	\$ (4,798.00) (1)	-5.17% -11.11%
	N-L	NPDES Discretionary Major	\$ 33,000.00 3	\$ - -	\$ (33,000.00) (3)	-100.00% -100.00%
	LC	Late Charge(Water-NPDES LC)	\$ 6,535.00 62	\$ 6,511.00 62	\$ (24.00) -	-0.37% 0.00%
	LS	Late Charge (Storm Water)	\$ 4,523.00 222	\$ 3,823.00 192	\$ (700.00) (30)	-15.48% -13.51%
	N-M	NPDES Major Municipal	\$ 664,692.00 79	\$ 663,697.00 78	\$ (995.00) (1)	-0.15% -1.27%
	NO-EX	No-Exposure Certification (Water-NPDES	\$ 38,034.00 191	\$ 52,850.00 267	\$ 14,816.00 76	38.95% 39.79%

# ADEQ REVENUE FROM AIR, WATER & SOLID WASTE PERMIT FEES

Figures generated from ADEQ Permit Data System. Date range = 01/01/2010 to 12/31/2010 and 01/01/2011 to 12/31/2011

Division	Fee Code	Description	2010	2011	Difference	% Difference
	N-O	NPDES Minor Aquatic Animal Prod	\$ 7,500.00 3	\$ 7,500.00 3	\$ - -	0.00% 0.00%
	N-P	NPDES Minor Variable Discharge	\$ 24,688.00 83	\$ 25,400.00 84	\$ 712.00 1	2.88% 1.20%
	N-Q	NPDES Construction Permit	\$ 26,650.00 86	\$ 16,700.00 37	\$ (9,950.00) (49)	-37.34% -56.98%
	N-R1	NPDES Stormwater Manufacturing	\$ 306,816.00 1,537	\$ 288,069.00 1,470	\$ (18,747.00) (67)	-6.11% -4.36%
	N-R2	NPDES Stormwater Construction	\$ 203,285.00 1,021	\$ 190,452.00 958	\$ (12,833.00) (63)	-6.31% -6.17%
	R4	NPDES Stormwater: MSF Phase II	\$ 9,200.00 46	\$ 9,000.00 45	\$ (200.00) (1)	-2.17% -2.17%
	Z	Interim Authority	\$ 0.00 0	\$ 0.00 0	\$ - -	0.00% 0.00%
<b>WATER NPDES TOTAL</b>		<b>Total</b>	<b>\$ 2,945,888.00 4,380</b>	<b>\$ 2,825,373.00 4,150</b>	<b>\$ (120,515.00) (230)</b>	<b>-4.09% -5.25%</b>
<b>TE WATER PERM</b>	ST	Short-Term Authorization	\$ 0.00 0	\$ 0.00 0	\$ - -	0.00% 0.00%
	S-D	Confined Animal or Small Sep	\$ 71,940.00 358	\$ 63,800.00 319	\$ (8,140.00) (39)	-11.31% -10.89%
	S-E	State Permits Branch Commercial or Industrial	\$ 133,722.00 272	\$ 127,619.00 259	\$ (6,103.00) (13)	-4.56% -4.78%
	S-F	Industrial Sludge App	\$ 1,000.00 2	\$ 500.00 1	\$ (500.00) (1)	-50.00% -50.00%

# ADEQ REVENUE FROM AIR, WATER & SOLID WASTE PERMIT FEES

Figures generated from ADEQ Permit Data System. Date range = 01/01/2010 to 12/31/2010 and 01/01/2011 to 12/31/2011

Division	Fee Code	Description	2010	2011	Difference	% Difference
	S-G1	State Permits Branch Confined Animal Feedlot	\$ 200.00 1	\$ 1,000.00 2	\$ 800.00 1	400.00% 100.00%
	GP	Oil & Gas Pits	\$ 222,850.00 737	\$ 108,900.00 363	\$ (113,950.00) (374)	-51.13% -50.75%
	S-H	Salt Water Disposal (SPB H)	\$ 131,500.00 526	\$ 117,550.00 470	\$ (13,950.00) (56)	-10.61% -10.65%
	GLA	Oil & Gas Land Application	\$ 20,000.00 40	\$ - -	\$ (20,000.00) (40)	-100.00% -100.00%
	S-I	POTW Non-NPDES Land App	\$ 3,000.00 6	\$ 2,000.00 4	\$ (1,000.00) (2)	-33.33% -33.33%
	LC	Late Charge(Water-SPB LC)	\$ 2,410.00 93	\$ 2,219.00 83	\$ (191.00) (10)	-7.93% -10.75%
	Z	Interim Authority (Water-SPB Z)	\$ 0.00 0	\$ 0.00 0	\$ - -	0.00% 0.00%
	ST	Short-Term Authorization (Water-SPB ST)	\$ 81,800.00 409	\$ 150,600.00 311	\$ 68,800.00 (98)	84.11% -23.96%
	<b>WATER - STATE PERMIT</b>		<b>\$ 668,422.00</b>	<b>\$ 574,188.00</b>	<b>\$ (94,234.00)</b>	<b>-14.10%</b>
			<b>2,444</b>	<b>1,812</b>	<b>(632)</b>	<b>-25.86%</b>
	U-1	State Permits Branch UIC - Class I	\$ 106,000.00 8	\$ 105,000.00 7	\$ (1,000.00) (1)	-0.94% -12.50%
	Z	Interim Authority	\$ 0.00 0	\$ 0.00 0	\$ - -	0.00% 0.00%
	<b>UIC TOTALS</b>		<b>\$ 106,000.00</b> <b>8</b>	<b>\$ 105,000.00</b> <b>7</b>	<b>\$ (1,000.00)</b> <b>(1)</b>	<b>-0.94%</b> <b>-12.50%</b>



# ADEQ REVENUE FROM AIR, WATER & SOLID WASTE PERMIT FEES

Figures generated from ADEQ Permit Data System. Date range = 01/01/2010 to 12/31/2010 and 01/01/2011 to 12/31/2011

Division	Fee Code	Description	2010	2011	Difference	% Difference
TOTAL		Total	\$ 11,890,246.00 8,311	\$ 11,282,878.00 7,526	\$ (607,368.00) (785)	-5.11% -9.45%

## ADEQ REVENUE FROM PERMIT FEES AND LICENSES

All figures generated 1/3/2012, based on active invoices. Date range = 1/2010 to 12/2010 and 1/2011 to 12/2011

Invoice Identifier	Fee Code	Description	Fund	2010 Collections	2011 Collections	DIFFERENCE	% DIFF
RST - Tank Installer Licenses	RST	Tank installer licenses	SRS0000	\$ 28,850.00	\$ 21,650.00	\$ (7,200.00)	-24.96%
TKS - Storage Tank Fees	TKS	Storage Tank Fees		\$ 912,447.50	\$ 935,851.01	\$ 23,403.51	2.56%
UST - Exam Fees	UST	Underground Storage Tank Exam Fees		\$ 1,800.00	\$ 31,150.00	\$ 29,350.00	1630.56%
ASB - Asbestos Licenses	ASB	Asbestos Licenses	SAC0000	\$ 112,255.00	\$ 104,355.00	\$ (7,900.00)	-7.04%
LED - Individual Licenses - Lead	LED	Individual Licenses	MPL0000	\$ 6,690.00	\$ 3,550.00	\$ (3,140.00)	-46.94%
CCL - Contractors Licenses - Lead	CCL	Contractors Licenses	MPL0000	\$ 12,900.00	\$ 10,500.00	\$ (2,400.00)	-18.60%
			SAC0000	\$ 251,733.58	\$ 242,058.49	\$ (9,675.09)	-3.84%
HWD - HW Permits	HWD	Hazardous Waste Permits	SHW0000	\$ 1,155,791.49	\$ 1,050,228.96	\$ (105,562.53)	-9.13%
TRF - Transfer Facilities	TRF	Transfer Facilities		\$ 0.00	\$ 0.00	\$ -	0.00%
HWL- HW Licenses	HWL	HW Licenses		\$ 1,825.00	\$ 1,450.00	\$ (375.00)	-20.55%
SFF - Superfund	HWD	Superfund permit fees	THS0000	\$ 379,678.50	\$ 398,767.50	\$ 19,089.00	5.03%
			MEE0000	\$ 42,186.50	\$ 44,307.50	\$ 2,121.00	5.03%
LAB - Lab Certification Fees	LAB	Lab Certification Fees	HMA0100	\$ 65,670.00	\$ 69,420.00	\$ 3,750.00	5.71%
MPS - Mining Fees	MPS	Non-coal mining permit Fees	HMA0100	\$ 148,261.43	\$ 86,679.97	\$ (61,581.46)	-41.54%
		Coal Mining Permit Fees	MAF0000	\$ 600.00	\$ 500.00	\$ (100.00)	-16.67%
		Quarry Permit Fees	TLR0000	\$ 34,292.50	\$ 32,032.50	\$ (2,260.00)	-6.59%
MBL - Mining Fees	MBL	Blaster Permits	MAF0000	\$ 50.00	\$ 20.00	\$ (30.00)	-60.00%
DCO - Dump Control Officers	DCO	Dump Control Officer Licenses	TPE0000	\$ 620.00	\$ 555.00	\$ (65.00)	-10.48%
SWL - Sanitary Landfill Operators	SWL	Sanitary Landfill Operator Licenses		\$ 44,155.00	\$ 42,550.00	\$ (1,605.00)	-3.63%
TTL - Waste Tire Licenses	TTL	Waste Tire Licenses		\$ 8,175.00	\$ 6,285.00	\$ (1,890.00)	-23.12%
TPF - Waste Tire Facilities	TPF	Waste Tire Facilities		\$ 1,200.00	\$ 1,025.00	\$ (175.00)	-14.58%
MER - Mercury Switches	MER	Mercury Switches	TWS0100	\$ 7,580.00	\$ 8,750.00	\$ 1,170.00	15.44%
SWF - Municipal Landfills	SWF	Municipal Landfill Fees	TWS0100	\$ 1,181,308.59	\$ 1,250,438.49	\$ 69,129.90	5.85%
			TWS0200	\$ 3,543,926.03	\$ 3,751,315.50	\$ 207,389.47	5.85%
			TWS0300	\$ 2,986,094.11	\$ 3,159,122.12	\$ 173,028.01	5.79%
ILF - Industrial Landfills	ILF	Industrial Landfill Fees	TWS0100	\$ 17,711.77	\$ 20,541.98	\$ 2,830.21	15.98%
			TWS0200	\$ 52,203.11	\$ 60,544.76	\$ 8,341.65	15.98%
			SMB0000	\$ 23,305.01	\$ 27,028.91	\$ 3,723.90	15.98%
WWL - Wastewater Licenses	WWL	Waste Water Operator Licenses	MWW0000	\$ 26,278.00	\$ 175,728.00	\$ 149,450.00	568.73%
Total				\$ 11,047,588.12	\$ 11,536,405.69	\$ 488,817.57	4.42%

### Civil Penalty Assessments

	CY2010	CY2011	Difference	%Diff
<b>Grand Totals</b>	\$ 1,260,289.78	\$ 1,251,306.37	\$ (8,983.41)	-0.71%

<i>SEP only 2011</i>	<i>Ashely County Skilled Workcent</i>	\$ 7,533.75
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