



ARKANSAS
Department of Environmental Quality

April 13, 2011

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 Gentlemen:

As required in Act 1387 of 2009, Section 38(a)-(e), the Arkansas Department of Environmental Quality presents the following information:

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

The information provided by each division covers the period January 1, 2010 through March 31, 2010. If you have any questions, please contact Karen Bassett at (501) 682-0959.

Sincerely,

A handwritten signature in black ink, appearing to read "Teresa Marks", is written over a horizontal line.

Teresa Marks
Director

AIR DIVISION

As of	3/31/2011
State Fiscal Quarter	3rdFY2011
Air Permits/Category	
Major Title V	205
Minor	1022
Permits Pending- By Category/Facility	

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MAJOR TITLE V	CSN	DATE APPLICATION RECEIVED	FACILITY	3/31/2011	Days
	7000101	12/11/2007	Great Lakes Chemical Corporation - West Plant	1206	3
	6800274	2/7/2008	Quarx Corporation - MacSteel	1148	6
	1600002	3/10/2008	Acme Brick - Wheeler Plant	1118	2
	3500017	4/22/2008	Delta Natural Kraft	1073	5
	0200013	5/20/2008	Georgia-Pacific - Crossett Paper	1045	3
	3200036	7/21/2008	FutureFuel Chemical Company	983	2
	7000037	9/10/2008	Great Lakes Chemical Corporation - South Plant	932	5
	7000101	9/10/2008	Great Lakes Chemical Corporation - West Plant	932	3
	1000005	11/18/2008	Georgia-Pacific Wood Products South, LLC	863	3
	2800251	12/17/2008	American Railcar Industries, Inc.	834	3
	1500001	2/6/2009	Green Bay Packaging Inc., Arkansas Kraft Division	783	7
	3500017	2/11/2009	Delta Natural Kraft	778	5
	1000005	2/12/2009	Georgia-Pacific Wood Products South, LLC	777	3
	7000037	2/27/2009	Great Lakes Chemical Corporation - South Plant	762	5
	2800256	3/8/2009	American Railcar Industries, Inc. - Marmaduke	752	3
	2900506	3/27/2009	AEP - SWECO Turk Plant	734	2
	5500017	4/2/2009	Bean Lumber Company, Inc.	728	8
	3200036	4/13/2009	FutureFuel Chemical Company	717	2
	2000004	4/30/2009	Georgia-Pacific Wood Products, LLC	700	3
	3500016	5/11/2009	Evergreen Packaging	689	2
	4700914	5/28/2009	Roll Coater, Inc.	674	7
	3000011	6/16/2009	Entergy - Lake Catherine Plant	653	6
	6200010	6/23/2009	Entergy - Moses Plant	646	6
	3500016	6/29/2009	Evergreen Packaging	640	2
	2800251	7/2/2009	American Railcar Industries, Inc.	637	3
	7000037	7/13/2009	Great Lakes Chemical Corporation - South Plant	626	5
	3200036	7/24/2009	FutureFuel Chemical Company	615	2
	7000037	8/7/2009	Great Lakes Chemical Corporation - South Plant	601	5
	1700077	9/1/2009	Tate & Lyle, Van Buren	576	7
	0200018	9/18/2009	Georgia-Pacific Chemicals LLC	559	7
	6700296	10/5/2009	Husqvarna Forestry Products North America, Inc.	542	4
	4500008	10/5/2009	Fishing Holdings, LLC	542	5
	4700202	10/8/2009	Nucor-Yamato Steel Company	541	3
	5400017	10/9/2009	Entergy Arkansas, Inc. - Riche Plant	538	5
	1000005	10/15/2009	Georgia-Pacific Wood Products Gurdon Plywood and Lumber	532	3
	2800256	10/19/2009	American Railcar Industries - Marmaduke	528	3
	3500110	10/20/2009	Entergy Arkansas, Inc. - White Bluff Plant	527	2
	2400088	10/26/2009	CenterPoint Energy - Mississippi River Transmission LLC - Webb City Compressor	521	7
	0200013	10/30/2009	Georgia-Pacific - Crossett Paper	517	2
	6600219	11/3/2009	Saint-Gobain Proppants	513	5
	5500017	11/3/2009	Bean Lumber Company	513	8
	3500025	11/12/2009	Planters Cotton Oil Mill, Inc.	504	5
	3500017	11/18/2009	Delta Natural Kraft - Mid America Packaging	500	5
	3200042	11/23/2009	Entergy Arkansas, Inc. - Independence Plant	493	7
	1000005	12/7/2009	Georgia-Pacific Wood Products South, LLC - Gurdon Plywood and Lumber Complex	479	3
	1800120	12/7/2009	The Pramcor Refining Group, Inc. - West Memphis Terminal	479	2
	1400028	12/18/2009	Albemarle Corporation - South Plant	468	3
	4100062	1/19/2010	Domtar A.W., LLC	436	3
	3200036	1/20/2010	FutureFuel Chemical Company	435	3
	6300010	1/20/2010	Almatis, Inc.	435	8
	7000012	1/28/2010	Great Lakes Chemical Corporation - Central Plant	427	5
	1000005	2/1/2010	Georgia-Pacific Wood Products South, LLC	423	3
	4100002	2/5/2010	Domtar A. W., LLC	419	5
	1400028	2/19/2010	Albemarle Corporation - South Plant	405	3
	3500016	2/23/2010	Evergreen Packaging	401	2
	2300294	2/26/2010	Steele Plastics	399	2
	1000005	3/1/2010	Georgia-Pacific Wood Products South LLC	395	3
	7000543	3/5/2010	Union Power Station	391	7
	0200013	3/10/2010	Georgia Pacific, LLC - Crossett Paper Operations	386	3
	2800251	3/30/2010	American Railcar Industries, Inc.	366	3
	0400213	3/31/2010	Preformed Line Products Company	365	2
	4100002	3/31/2010	Domtar A.W., LLC	365	5
	7000037	4/2/2010	Great Lakes Chemical Corporation - South Plant	363	5
	2700002	4/13/2010	West Fraser, Inc. - Leola Lumber Mill	352	2
	7000012	5/3/2010	Great Lakes Chemical Corporation - Central Plant	332	5
	2000017	5/28/2010	Idaho Timber of Carthage	307	2
	6000689	6/28/2010	Arkansas Children's Hospital	307	2
	3100023	6/21/2010	Husqvarna Forestry Products North America, Inc.	283	4
	0400107	6/24/2010	AEP - Flint Creek Power Plant	280	2
	7000012	7/8/2010	Great Lakes Chemical Corporation - Central Plant	268	5
	7000012	7/18/2010	Great Lakes Chemical Corporation - Central Plant	258	5
	3000229	7/27/2010	KGen Hot Springs LLC	247	5
	4700202	7/28/2010	Nucor-Yamato Steel Company	246	3
	1400028	7/28/2010	Albemarle Corporation - South Plant	246	3
	0700033	7/29/2010	Easterline Armtec Countermeasures	245	2
	1400028	8/3/2010	Albemarle Corporation - South Plant	240	3
	3000337	8/5/2010	Hot Springs Power Company, LLC	238	2
	3100107	8/16/2010	Upper SW Arkansas Regional Solid Waste Landfill	227	6
	3500016	8/20/2010	Evergreen Packaging	223	2
	6400049	8/20/2010	Travis Lumber Company	223	2
	1000005	8/25/2010	Georgia-Pacific Wood Products South LLC	218	3
	2500028	8/27/2010	ESI-AR Cherokee Sanitary Landfill	216	7
	5000058	8/27/2010	Texas Eastern Transmission, LP - Hope Compressor Station	216	7
	4700202	8/31/2010	Nucor-Yamato Steel Company	212	3
	6600219	9/2/2010	Saint-Gobain Proppants	210	5
	6300010	9/3/2010	Almatis, Inc.	209	6
	3500170	9/9/2010	Waste Management - Jefferson County Landfill	203	7
	2600077	9/13/2010	TRG Hot Springs, LLC	199	3
	4100002	9/13/2010	Domtar A.W., LLC	199	5
	1000005	9/15/2010	Georgia-Pacific Wood Products South LLC	197	3
	1400040	9/21/2010	Amfuel - Magnolia	191	3
	7500046	9/23/2010	Waste Management Ozark Ridge Landfill	189	7
	7200048	9/27/2010	Bell Metal Food Container Corp	185	6

As of:	3/31/2011
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State Fiscal Quarter	Third
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Hazardous Waste Management Permits

Post-Closure:	5
Hazardous Waste Management:	14

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Applications Pending	3
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Type/Name	Permit No.	Days Pending	Reason Code
Permit Modification/Rineco/Add Storage Units	28H-RN1	167	3
Permit Modification/Rineco/Add TMW Unit	28H-RN1	167	3
Permit Modification/Aerojet/OBU Closure Revisions	8H-RN1	69	3
Permit Modification/PBCDF/Closure Revision	29H-RN1	22	3

c

Reason Codes:

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

MINING DIVISION

As of: 3/31/2011

State Fiscal Quarter 3rd FY11

Mining Division Permits/Category

Coal Mining		Open-Cut Mining	
Active	7	Sand and Gravel	137
Exploratory		Clay	41
		Shale	19
		In-Stream	7
		Soil	29
		Other	11
Coal Total	7	Open-Cut Total	244
Total Mining Permits	251		

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Permits Pending- By Category/Facility

COAL MINING	Days Pending	Reason Code
OPEN-CUT MINING	Days Pending	Reason Code
Mountain View Ready Mix	813	2
Bo Hinchey	610	2
Cross County Materials	499	2
Susan Evans	497	2
Geo Specialities Minerals	484	3
ABC Ready Mix, Inc.	450	2
Hanson	423	3
Hanson	423	3
Guy King and Sons	367	2
Alvin Crabtree and Son	338	2
Jimmy Jones Red Dirt Co.	336	2
Twin Lakes Quarries	282	2
Smith Equipment Co.	268	2
Keystone Ventures	262	9
Martin Marietta Materials	262	2
Martin Marietta Materials	262	2
Hubert Development	220	2
Gary Carpenter Const. Co.	203	9
Arkansas Gravel Co.	203	2
Hale Sand and Gravel	165	9
Wooten Sand and Gravel	121	2
NEA Materials, Inc.	113	2
Rogers Group, Inc.	95	9
Bonds Excavating Enterprises	85	9
Acme Brick	84	2

c

Reason Codes:

1	Conducting Administrative Completeness Review
2	Reviewing Technical Information
3	Awaiting Information from Applicant
4	Awaiting Public Hearing

MINING DIVISION

5	Awaiting Close of Public Comment Period
6	Drafting Response to Comments
7	Drafting Draft Permit Decision
8	Legal Issues
9	Other:

Note: The five applications noted with the reason code of "9", all had their permits issued on 4/8/11.

SOLID WASTE DIVISION

As of: 3/31/2011

State Fiscal Quarter 3

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	1336	3
Craighead County Major Mod	807	5
BFI Class 1 Landfill	751	3
NABORS Class 1 Minor Mod	17	2
NABORS Class 1 Minor Mod	28	2
City of Conway Class 1	482	3
Class 3 Landfill Apps/Mods	Days Pending	Reason Code
SWPCO Class 3N Initial (Turk Site)	89	5
Entergy Independence	1582	2
Entergy White Bluff	685	2
Class 4 Landfill Apps/Mods	Days Pending	Reason Code
City of Conway Permit Application	1943	3
Cleburne County Class 4	640	3
Mississippi County Class 4	449	3
Pulaski Co Class 4	163	2
Clark County	321	3
Compost Facility Apps/Mods	Days Pending	Reason Code
Union County Compost Y	1016	3
Bentonville Compost	644	5
City of Eureka Springs Compost	772	5
C&DRF Apps/Mods	Days Pending	Reason Code
Union County Material Recovery Facility	1016	3
Energy Source	185	2
Tire Processing Facility Apps/Mods	Days Pending	Reason Code
W2Oil	471	7
Transfer Station Apps/Mods	Days Pending	Reason Code
WRF Apps/Mods	Days Pending	Reason Code

C

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:	4/1/2011
State Fiscal Quarter	3

No Discharge Permits

Agriculture	304
Industrial	1665
Salt Water Disposal	529
Municipal	44
Domestic	7
Underground Injection Control (UIC)	8

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Permits Pending

Facility	Permit Number	Days Pending	Reason Code
Terra Renewal Services, Inc.	4652-WR-4	46	4
City of Caddo Valley	5108-W	52	3
Nebo Residuals Services, Inc.	5109-W	56	2
Murfreesboro Water and Sewer Department	5107-W	58	3
Terra Renewal Services, Inc.	4823-WR-5	58	3
Eastern Tank Services, Inc.	3067-WR-2	64	2
Gerdau MacSteel, Inc.	4422-WR-3	64	5
City of Lowell	4842-WR-1	66	4
City of Perry	2013-WR-4	67	2
Terra Renewal Services, Inc.	5106-W	67	4
City Water & Light Plant of the City of Jonesboro	5105-W	100	5
Cross Country Rural Water System	5102-W	130	5
Cross Country Rural Water System	5103-W	130	5
Cross County Rural Water System	5101-W	130	5
Harmon Road Properties, LLC	4860-WR-1	135	5
Terra Renewal Services, Inc.	5100-W	136	4
Nucor Yamato Steel Company	5007-WR-1	151	2
Southern Mud Company, LLC	5077-WR-1	155	2
Terra Renewal Services, Inc.	4839-WR-4	158	4
Terra Renewal Services, Inc.	4846-WR-1	170	5
Lakeview Laundromat	4338-WR-2	171	3
Batesville Water Utilities	5099-W	176	7
City of Green Forest	5095-W	199	3
Terra Renewal Services, Inc.	4605-WR-2	235	3
Elna M. Smith Foundation	3961-WR-2	238	4
Mississippi County	5091-W	238	3
Terra Renewal Services, Inc.	5094-W	240	5
City of Mornilton	3509-WR-4	249	5
NABORS	5089-W	273	5
City of Lowell	4847-WR-3	290	4
City of Melbourne	5081-W	290	5
Maumelle Improve District #500	4632-WR-2	291	3
City of Biggers	4619-WR-2	295	3
Clear Creek Environmental, Inc.	5086-W	295	2
Riceland Foods, Inc. - Soy Division	4638-WR-2	295	3
Terra Renewal Services, Inc.	4833-WR-1	311	4
FutureFuel Chemical Company	5082-W	337	4

C

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

As of:	4/1/2011
State Fiscal Quarter	3

NPDES Permits/Category

Individual Permits	
Municipal	378
Industrial	455
Stormwater Permits	
Construction	1042
Industrial	1557
Small Municipal Separate Storm	
Sewer System (MS4)	46
Individual	1
General Permits	
Landfill	34
Non-Contact Colling Water	10
Aggregate Facilities	47
Individual Treatment	151
Water Treatment	133
Hydrostatic Testing	41
Car Wash	12
Ground Water	12
Total	3919

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Arkansas Department of Environmental Quality
Section 38 Report
Water Division

Permits Pending- By Category/Facility		Q3 SFY 2011		
Permit Number	Owner Name	Facility Name	Days Pending	Reason Code
AR0044172		Westwood Village Sewer Facilities Board	364	2
AR0050393	WVE Property Owners Association, Inc.	Waterview Estates WWTP	361	3
AR0050482		Victory Lumber, LLC	361	8
AR0050253	Fritts Construction, Inc.	Hayden's Place Subdivision	343	3
AR0001601		Delta Natural Kraft, LLC	333	6
AR0023833		City of Gravette	330	5
ARG640173C	Buffalo Island Regional Water District	Water Treatment Facility	322	8
AR0045411		Caddo Valley Municipal Wastewater Treatment Plant	319	5
AR0002437	U.S. Fish and Wildlife Service	d/b/a Norfolk National Fish Hatchery	315	5
AR0050504		Ferndale Grocery, Inc.	315	8
AR0050563	Central Arkansas Utility Services	d/b/a Crossroads Village	315	5
AR0038857		Albemarle Corporation - South Plant	315	5
AR0050539	Central Arkansas Utility Services	Pinewood Estates Subdivision	311	5
AR0047902		H.G. Toler & Son Lumber Company	308	5
AR0050288	City of Fayetteville	West Side Wastewater Treatment Facility	294	5
AR0040266		145th Street Water and Sewer Improvement District No. 345 of Pulaski County	284	6
AR0043397		City of Rogers	277	4
AR0051802		Desoto Sand, LLC	277	3
AR0020702		Batesville Wastewater Treatment Plant	273	8
AR0050334		Grassy Lake Apartments	268	3
AR0043354		Acme Brick Company-Perla Facility	266	6
AR0049301	New Neptune, LLC	d/b/a MAX MART #1026	263	5
AR0033758		City of Fordyce	262	5
AR0033880M		City of Hot Springs	259	2
AR0033880C		City of Hot Springs	259	2
AR0021679		City of Gould	258	2
AR0046787	Boy Scouts of America	Camp Pioneer Caddo Area Council	247	8

Arkansas Department of Environmental Quality
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Permit Number	Owner Name	Facility Name	Days Pending	Reason Code
AR0021954		City of Turrell	245	3
AR0044814	GS Roofing Products Company, Inc.	CertainTeed	242	2
AR0045284		City of Cash	238	8
AR0037338	J.R. Stevens/Stevens Realty	d/b/a Baker School Apartments	238	3
AR0022071		City of McGehee	233	5
AR0043753		Sugarloaf Wastewater Treatment District	228	4
AR0043753C		Sugarloaf Wastewater Treatment District	228	4
AR0034738		City of Augusta	228	5
AR0034070		City of Lavaca	226	2
AR0035980M	Arkansas Department of Correction	Tucker Intermediate Reformatory	226	8
AR0020184		City of Gentry	225	5
AR0037842	Southwestern Electric Power Company	Flint Creek Power Plant	214	5
AR0044750	Pulaski County Special School District	Oak Grove High School Treatment Facility	213	8
AR0051403C	Nealey of Northwest Arkansas	City of Rosebud Sewer Improvements Phase 1	211	8
AR0051403M	Nealey of Northwest Arkansas	City of Rosebud Sewer Improvements Phase 1	211	8
AR0022560		City of Blytheville - West Treatment Facility	206	4
AR0051837	Chip & Shona Smith	dba "The Chaparral at Cranfield"	206	3
AR0051837C	Chip & Shona Smith	dba "The Chaparral at Cranfield"	206	3
AR0048950	Umetco Minerals Corporation	d/b/a Wilson Mine Area	203	5
AR0051853	Shriram Sebastian, LLC	Sebastian Mine	203	5
AR0001481		Norandal USA, Inc.	203	5
AR0050725C	HTC, LLC	Hilltop Travel Center	190	8
AR0044415	University of Arkansas	Rice Research and Extension Center	190	5
ARG500001C		Drum Sand and Gravel, Inc.	189	2
AR0047937	Central Arkansas Water	Jack H. Wilson Water Treatment Plant	182	2
AR0039250	Arkansas 4-H Foundation, Inc.	d/b/a 4-H Education Center	182	6
AR0047929	Central Arkansas Water	Ozark Point Water Treatment Plant	182	2
AR0045403		West Memphis Travel Center	178	5
AR0001414	Minnesota Mining and Manufacturing	Arch Street	177	5
AR0000531	Reynolds Metals Company	Gum Springs Plant	177	5
AR0040517		City of Louann	177	6

Arkansas Department of Environmental Quality
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Permit Number	Owner Name	Facility Name	Days Pending	Reason Code
AR0048097	Georgia-Pacific LLC	North Log Yard	177	6
AR0049204		Georgia Pacific Corporation-Fordyce OSB Facility	177	7
AR0048119	Evergreen Packaging Inc.	Cadron Creek Chip Mill	175	5
AR0037303	Fairfield Bay Wastewater Corp.	Hamilton Hills WWTP	172	8
AR0000361		Kinder Morgan Operating L.P. - "C"	163	2
AR0050512	Reynolds Foil, Inc.	Hot Spring Continuous Rolling Plant	156	2
AR0023841		City of Lepanto	151	5
AR0037061C	Arkansas Department of Parks & Tourism	DeGray Lake Resort State Park	148	8
AR0036331	Entergy Arkansas, Inc.	d/b/a Entergy-White Bluff Plant	147	5
AR0039233		City of Pangburn	142	6
AR0033391		City of Cotton Plant	134	5
AR0021911		City of Rector	134	2
AR0048241	B.J.'s Pit Stop, Inc.	Lakecenter Grocery and Deli	130	2
AR0037125		City of Mitchellville	130	5
AR0050547		Two Rivers Harbor Subdivision	129	2
AR0036897	U.S. Army, Corps of Engineers	W.G. Huxtable Pumping Plant	121	2
AR0035483		City of Hatfield	121	5
AR0051896	Rogers Group, Inc.	Lowell Quarry	121	5
AR0020010	City of Fayetteville	Paul R. Noland Wastewater Treatment Plant	116	4
AR0033782		City of Luxora	113	2
AR0047945		Gunnels Mill, Inc.	113	5
AR0035963	Pulaski County Special School District	Robinson Elementary School Treatment Facility	113	5
AR0044822		Town of Higginson	112	2
AR0035807		City of Bald Knob	107	2
AR0041815		City of Emmet	105	2
AR0045624		Lake Hamilton School District No. 5	100	5
AR0002879	Arkansas Game and Fish Commission	Jim Hinkle/Spring River State Fish Hatchery	95	5
AR0039837		City of Patterson	95	5
AR0041335C	Jacksonville Wastewater Utility	J. Albert Johnson Regional Treatment Facility	86	6
AR0000591		Martin Operating Partnership L.P.	86	5
AR0036692	City of Mena	Mena Wastewater Treatment Plant	86	5

Arkansas Department of Environmental Quality
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Water Division

Permit Number	Owner Name	Facility Name	Days Pending	Reason Code
AR0045691	Arkansas State Highway and Transportation Department District 8	Big Piney Rest Area-Westbound	86	5
AR0036668M		Frit Industries, Inc.	84	6
AR0051926	Comer Mining Corporation	Comer Mine No. 2	81	5
AR0044300	VPG Partners II, LLC	d/b/a Statue Road Inn	81	5
AR0051918		Poinsett County Class IV Landfill	79	5
AR0051934		Capital Quarries Company, Inc.	73	5
AR0049051		Humane Society of Pulaski County	67	6
AR0034614		City of Grubbs	65	5
AR0051951	Conway Corporation	Tupelo Bayou Wastewater Treatment Plant	64	5
AR0045489C		City of Pollard	64	6
AR0051951C	Conway Corporation	Tupelo Bayou Wastewater Treatment Plant	64	5
AR0051942		Chieftain Sand and Proppant, LLC	58	5
AR0043931	Dixon Manor MHP, LLC	Dixon Manor Mobile Home Park	58	5
AR0045799	Arkansas Highway and Transportation Department District 4	Waldron Rest Area and Comfort Station	58	5
AR0051128C	Kinder Morgan Bulk Terminals, Inc.	Hickman Facility	53	5
AR0051128M	Kinder Morgan Bulk Terminals, Inc.	Hickman Facility	53	5
AR0050083M	Kinder Morgan Bulk Terminals, Inc.	Barfield Facility	53	5
AR0050083C	Kinder Morgan Bulk Terminals, Inc.	Barfield Facility	53	5
AR0050598	Arkansas Water and Wastewater Management Corporation	d/b/a Huntington Estates Subdivision	50	5
AR0050466	Arkansas Water and Wastewater Management Corporation	d/b/a Shadow Ridge Wastewater Treatment Facility	50	5
AR0040886		Town of Wilton	50	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

Arkansas Department of Environmental Quality
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Water Division

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Permit Number	Owner Name	Facility Name	Days Pending	Reason Code
6	Awaiting Close of Public Comment Period or Ready for PN			
7	Drafting Response to Comments			
8	Other			

MEMORANDUM

DATE: April 11, 2011 d
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 Public Notice for the period of January 1, 2011 through March 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 62.

Additionally the Department is authorized by A.C.A. §8-4-103 (b) to institute a civil action in any court of competent jurisdiction to compel compliance with state environmental laws and regulations. Following is a list of actions which have been filed in court for the period of January 1, 2011 through March 31, 2011.

Type of Enforcement Action	Defendant	Geographic Location
Filing Fee	Henry Chase Chicken Farm	Scott County Circuit Court
Filing Fee	Marinda Jane Lansdale	Washington County Circuit Court

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

Civil Penalties Collected	\$234,644.94
Supplemental Environmental Projects Verified	\$0.00

ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY

NOTICE OF ENFORCEMENT ACTIONS

Public notice is hereby given that the Arkansas Department of Environmental Quality (ADEQ) has entered into the Consent Administrative Orders and has issued the Notices of Violation listed below. Documents for these enforcement matters can be made available for inspection or copying by contacting ADEQ's Legal Division, 5301 Northshore Drive, North Little Rock, Arkansas 72118-5317. There may be a charge to cover photocopying costs for some documents. Copies of enforcement documents, including those referenced in this notice, also are available for viewing on the ADEQ website at http://www.adeq.state.ar.us/legal/cao_info.asp. Further, ADEQ is accepting written comments from the public regarding these matters. Such comments must be sent to ADEQ, Legal Division, at the above address within 30 days after publication of this Notice. If a comment on any proposed Consent Administrative Order is received by ADEQ within this time period, in accordance with Act 163 of 1993, the person submitting the comment may request the Arkansas Pollution Control and Ecology Commission to set aside the order in the matter by filing a petition with the Commission Secretary. If a comment on any Notice of Violation is received by ADEQ within this time period, the person submitting the comment will be given notice of any hearings held on the matter and shall have the right to 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 ORDER

B & M Painting Company, Inc, c/o Shelly Johnson, President, Ouachita County, Hazardous Waste Division, \$11,750.00 Penalty

Evergreen Packaging, Inc., Pine Bluff Mill, Jefferson County, Air Division, \$3,075.00 Penalty

Gary Easterling, Madison County, Water Division, \$250.00 Penalty

Tim Tyler, Faulkner County, NPDES/Water Division, \$3,100.00 Penalty

Wastewater Treatment Committee of North Little Rock, Arkansas, Pulaski County, NPDES/Water Division, \$105,000 Penalty

Dated this 10th day of January 2011
Teresa Marks, Director
Arkansas Department of Environmental Quality

ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY

NOTICE OF ENFORCEMENT ACTIONS

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CONSENT ADMINISTRATIVE ORDER

City of Conway, Attn: Tab Townsell, Mayor, Faulkner County, Water Division, \$2,600.00 Penalty

Clean Harbors El Dorado, LLC, Union County, Hazardous Waste Management Division, \$6,600.00 Penalty

Durand Robinson, d/b/a Durand Robinson Lawn Maintenance and Landscaping, LLC, Pulaski County, Regulated Storage Tanks Division, \$800.00 Penalty

Flash Market, Inc. Attn: Harold Patterson, Crittenden County, Regulated Storage Tanks Division, \$2,800.00 Penalty

Fountain Properties, LLC, d/b/a Fountain Lake Healthcare and Rehab, White County, NPDES/Water Division, \$1,500.00 Penalty

Freeman Brothers, Inc., d/b/a Bibler Brothers Lumber Company, Pope County, Air Division, \$4,513.12 Penalty

Great Lakes Chemical Corporation, Union County, Air Division, \$23,240.00 Penalty

Hiland Dairy Foods, Company, LLC, d/b/a Hiland Dairy Foods, LLC, c/o The Corporation Company, Pulaski County, Water Division, \$1,800.00 Penalty

Rineco Chemical Industries, Inc., Saline County, Water Division, \$2,062.50 Penalty

Sandra Mangum, Individual, Desha County, NPDES/Water Division, \$400.00 Penalty

St. Vincent Infirmary Medical Center, Pulaski County, Air Division, \$1,800.00 Penalty

NOTICE OF BOND FORFEITURE

J&A Mining, LLC, Washington County, Mining Division, No Penalty

PERMIT APPEAL RESOLUTION

Frit Industries, Inc., Lawrence County, NPDES/Water Division, No Penalty

Dated this 25th day of January 2011
Teresa Marks, Director
Arkansas Department of Environmental Quality

ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY

NOTICE OF ENFORCEMENT ACTIONS

Public notice is hereby given that the Arkansas Department of Environmental Quality (ADEQ) has entered into the Consent Administrative Orders and has issued the Notices of Violation listed below. Documents for these enforcement matters can be made available for inspection or copying by contacting ADEQ's Legal Division, 5301 Northshore Drive, North Little Rock, Arkansas 72118-5317. There may be a charge to cover photocopying costs for some documents. Copies of enforcement documents, including those referenced in this notice, also are available for viewing on the ADEQ website at http://www.adeq.state.ar.us/legal/cao_info.asp. Further, ADEQ is accepting written comments from the public regarding these matters. Such comments must be sent to ADEQ, Legal Division, at the above address within 30 days after publication of this Notice. If a comment on any proposed Consent Administrative Order is received by ADEQ within this time period, in accordance with Act 163 of 1993, the person submitting the comment may request the Arkansas Pollution Control and Ecology Commission to set aside the order in the matter by filing a petition with the Commission Secretary. If a comment on any Notice of Violation is received by ADEQ within this time period, the person submitting the comment will be given notice of any hearings held on the matter and shall have the right to 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 ORDER

Amko Service Company, Hempstead County, Hazardous Waste Division,
\$2,125.00 Penalty

Arkansas Midstream Gas Services Corp. – Harmony Compressor Station, White
County, Air Division, \$2,490.00 Penalty

Arkansas Water and Wastewater Management Corporation- Huntington Estates
Subdivision, c/o Tim Tyler, Registered Agent, Faulkner County, NPDES/Water
Division, \$1,500.00 Penalty

Chesapeake Operating Inc., C/O The Corporation Company, Pulaski County,
Water Division, \$2,600.00 Penalty

Clean Harbors Environmental Services, Inc., Union County, Hazardous Waste Division, \$800.00 Penalty

Enterprise TE Products Pipeline Company, LLC, Pulaski County, Hazardous Waste Division, No Penalty

Harvest Rice, Inc, Desha County, Air Division, \$1,635.00 Penalty

LM Wind Power Blades (Arkansas), Inc., Pulaski County, Hazardous Waste Division, \$13,500.00 Penalty

Mr. Steve Cranford, dba Cranford Construction Company, Pulaski County, Air Division, \$2,075.00 Penalty

Newberry Tanks, Inc. dba Newberry Tanks and Equipment Inc, Crittenden County, Air Division, \$2,452.00 Penalty

Pine Bluff Arsenal, Jefferson County, Air Division, \$1,550.00 Penalty

Rivana Foods, Inc., Monroe County, Air Division, \$1,710.00 Penalty

Saint-Gobain Ceramics & Plastics, Inc. dba Saint-Gobain Proppants, Sebastian County, Air Division, \$26,325.00 Penalty

TRG Hot Springs, LLC, Garland County, Air Division, \$1,505.00 Penalty

University of Arkansas for Medical Sciences, Pulaski County, Air Division, \$2,500.00 Penalty

WITHDRAWAL OF NOTICE OF VIOLATION AND PERMIT REVOCATION

Stephen C. Aust, Individually and d/b/a Westside Development, LLC, NPDES/Water Division, past due Permit Fees and \$660.00 Proposed Penalty

PERMIT APPEAL RESOLUTION

LM Wind Power Blades, Pulaski County, Air Division, No Penalty

NOTICES OF VIOLATION

Sky King Logistics, Inc., Attn: William J. Stocker, Registered Agent, White County, Regulated Storage Tanks Division, proposed penalty \$3,750.00

Mississippi County Hospital, Steve M. Guire, County Judge, Mississippi County, Regulated Storage Tanks Division, proposed penalty \$6,750.00

Dated this 10th day of February 2011
Teresa Marks, Director
Arkansas Department of Environmental Quality

ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY

NOTICE OF ENFORCEMENT ACTIONS

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CONSENT ADMINISTRATIVE ORDER

A-1 Roofing & Construction, LLC, Boone County, Air Division, \$2, 257.50
Penalty

Alumacraft Boat Company, Clark County, Air Division, \$4,414.50 Penalty

Bill and Cathy Tyler, Faulkner County, NPDES/Water Division, \$2,175.00
Penalty

Domtar A.W. LLC, Little River County, Air Division, \$1,226.25 Penalty

Eco-Vista, LLC, Washington County, Air Division, \$2,178.75 Penalty

SEECO, Inc., c/o The Corporation Company, Van Buren County, Water
Division, \$1,200.00 Penalty

Preformed Line Products Company, Benton County, Air Division, \$127,400.00
to ADEQ, \$68,600.00 Supplemental Environmental Project

Simmons Prepared Foods, Inc., Benton County, Air Division, \$1,635.00 Penalty

Welspun Tubular, LLC, Pulaski County, Air Division, \$9,625.00, Penalty

NOTICE OF VIOLATION

Max Taylor Oil Co., Inc., Max Taylor, Registered Agent, Pope County,
Regulated Storage Tanks Division, \$1,500.00 Penalty

AMENDMENT TO CONSENT ADMINISTRATIVE ORDER LIS 05-207 **ADDITIONAL FINDING OF FACT**

Tokusen U.S.A., Inc., Faulkner County, Hazardous Waste Division, No Penalty

Dated this 25th day of February 2011
Teresa Marks, Director
Arkansas Department of Environmental Quality

ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY

NOTICE OF ENFORCEMENT ACTIONS

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CONSENT ADMINISTRATIVE ORDER

City of Oppelo, Conway County, NPDES/Water Division, \$1,800.00 Penalty

River Valley Oil & Propane, Inc., Attn: Jimmy Funderberg, Registered Agent, Pope County, Regulated Storage Tanks Division, \$4,500.00 Penalty

Stephens Production Company-North Cecil Compressor Station, Franklin County, Air Division, \$1,530.00 Penalty

NOTICE OF VIOLATION

Generations Transport, Inc., Clinton Duke, Registered Agent, White County, Regulated Storage Tanks Division, proposed penalty \$1,500.00

DEFAULT ADMINISTRATIVE ORDER

Sky King Logistics, Inc., ATTN: William J. Stocker, Registered Agent, Saline
County, Regulated Storage Tanks Division, \$3,750.00 Penalty

Dated this 10th day of March 2011
Teresa Marks, Director
Arkansas Department of Environmental Quality

ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY

NOTICE OF ENFORCEMENT ACTIONS

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CONSENT ADMINISTRATIVE ORDER

3M Company, Pulaski County, Air Division, \$12,450.00 Penalty

Alabama Catfish, LLC, f/k/a Alabama Catfish Inc., d/b/a Harvest Select Catfish-Eudora, Chicot County, NPDES/Water Division, \$4,100.00 Penalty

Chesapeake Operating, Inc., c/o The Corporation Company, Pulaski County, Water Division, \$11,300.00 Penalty

Denso Manufacturing Arkansas, Inc., Mississippi County, Air Division, \$1,451.25 Penalty

Great Lakes Chemical Corporation, Union County, Air Division, \$2,610.00 Penalty

DEFAULT ADMINISTRATIVE ORDER

Jason Sutherland, Individually and d/b/a PP Hog Heaven, Little River County, Water Division, \$1,760.00 for past due permit fees

Kourosh Malek, Jefferson County, NPDES/Water Division, \$8,600.00 for past due permit fees

DEFAULT ADMINISTRATIVE ORDER AND PERMIT REVOCATION

Lifestyle Communities, LLC, Mr. Tony Merideth, Registered Agent, Pulaski County, NPDES/Water Division, \$400.00 for past due permit fees

PERMIT APPEAL RESOLUTION

Crossett Paper Operations, Ashley County, NPDES/Water Division, no penalty

Dated this 25th day of March 2011

Teresa Marks, Director

Arkansas Department of Environmental Quality

ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION
QUARTERLY REPORT TO ARKANSAS LEGISLATIVE COUNCIL
ON RULEMAKING ACTIVITIES

Months In Quarter: January, February, and March 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. 21, Arkansas Asbestos Abatement Regulation; Docket No. 10-001-R.

a. Amendment Proposed By: Arkansas Department of Environmental Quality ("ADEQ").

b. Description: ADEQ filed its request to initiate rulemaking on February 11, 2010. Proposed changes to Regulation 21 include requirement of air monitoring for asbestos fibers to be conducted before, during, and after a project, require that air monitoring be conducted by an independent third party who is not an agent of the firm doing the renovation, require photos of individuals seeking asbestos training certification and increases reporting requirements from training providers, formatting revisions, and addition of clarifying language to regulation definitions.

The Commission initiated the rulemaking process on February 26, 2010, and no decision has been made.

c. Justification: The proposed changes will reduce asbestos fibers entering the atmosphere, resulting in a decrease in morbidity and premature death. Making the proposed change will improve the overall effectiveness and enforceability of asbestos abatement regulation, and help ensure the proper training and efficient certification of asbestos workers in the state.

d. Economic Impact: The monitoring requirements will have a total average annual economic impact of \$873,000 per year. This cost per renovation will vary with the length of job. The proposed regulation revisions will not result in any increase cost to ADEQ in manpower and associated resources.

e. Environmental Benefit Analysis: The proposed changes will help ensure that asbestos fibers are not being released into the environment, and will improve the overall effectiveness and enforceability of asbestos abatement regulation.

3. 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 ("ADEQ").

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 Commission initiated the rulemaking process on May 27, 2010, and no decision has been made.

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.

4. Regulation Number and Name: Regulation No. 6, Regulations for State Administration of the National Pollutant Discharge Elimination System (NPDES); Docket No. 10-003-R.

a. Amendment Proposed By: Arkansas Department of Environmental Quality ("ADEQ").

b. Description: ADEQ filed its request to initiate rulemaking on March 16, 2010. Proposed changes to Regulation 6 will create a permit-by-rule to authorize construction for individual treatment facilities generating less than 1000 gallons of domestic waste per day.

The Commission initiated the rulemaking process on March 26, 2010, and no decision has been made.

c. Justification: These amendments to Regulation No. 6 will authorize construction of previously approved systems under certain conditions, rather than through the permit process for

individual construction permits, which requires opportunity for full public participation, including public notice and a thirty day comment period.

d. Economic Impact: The actual number of affected entities will depend on the number of entities seeking to construct this type of individual treatment facility.

e. Environmental Benefit Analysis: This proposed rule offers a streamlined process for entities to obtain permit coverage to install treatment facilities that have been approved by ADEQ as protective of water quality. The efficiency of this process will encourage entities to choose those treatment facilities that have been reviewed and approved by ADEQ.

5. Regulation Number and Name: Regulation No. 2, Umetco Minerals Corporation Third-Party Rulemaking; Docket No. 10-005-R.

a. Amendment Proposed By: Umetco Minerals Corporation ("Umetco").

b. Description: Umetco filed its request to initiate rulemaking on June 14, 2010. Umetco seeks to amend the existing site specific mineral quality criteria for Wilson Creek and to remove the domestic drinking water supply use designation for Wilson Creek.

The Commission initiated the rulemaking process on June 25, 2010, and no decision has been made.

c. Justification: This proposed rule will allow Umetco to continue to serve the public, be in compliance with its NPDES permit and continue to protect the aquatic life designated uses of the affected streams.

d. Economic Impact: There are no net economic effects of the proposed rule from current conditions because the rule simply adjusts dissolved mineral criteria to reflect current conditions.

e. Environmental Benefit Analysis: The Use Attainability Analysis indicates that the current TDS, chloride and sulfate concentrations in Wilson Creek supports attainable aquatic life

uses and site specific water quality criteria for minerals are justified.

6. Regulation Number and Name: Regulation No. 2, Alcoa, Inc. Third-Party Rulemaking; Docket No. 10-006-R.

a. Amendment Proposed By: Alcoa, Inc. ("Alcoa").

b. Description: Alcoa filed its request to initiate rulemaking on September 3, 2010. Alcoa is requesting a temporary modification to the chronic water quality standard for selenium in Holly Creek to reflect current and historic conditions in Holly Creek during the term of an Environmental Improvement Project ("EIP").

The Commission initiated the rulemaking process on September 24, 2010, and no decision has been made.

c. Justification: The rule change is necessary because there is currently no known technically and economically feasible biological or chemical treatments capable of reducing the selenium concentration to levels that meet the chronic water quality standard.

d. Economic Impact: There are no economic effects of the proposed rule.

e. Environmental Benefit Analysis: There are currently no known technically and neither economically feasible biological or chemical treatment, nor source reduction strategies capable of reducing the selenium concentration to levels that meet the current chronic water quality standard. This rule will allow Alcoa to continue its quest to find and/or develop treatment while preserving the fishery of Holly Creek and protecting the Saline River.

7. Regulation Number and Name: Regulation No. 23, Hazardous Waste Management; Docket No. 10-007-R.

a. Amendment Proposed By: Arkansas Department of Environmental Quality ("ADEQ").

b. Description: ADEQ filed its request to initiate rulemaking on September 10, 2010. The amendments to Regulation No. 23 adopt newly-revised federal rules published between July 1, 2009 and August 31, 2010 and makes editorial revisions to existing provisions.

The Commission initiated the rulemaking process on September 24, 2010, and no decision has been made.

c. Justification: These revisions are necessary to keep the state hazardous waste regulations current with the corresponding federal requirements.

d. Economic Impact: No economic impact is created by the state-initiated revisions in this proposed rulemaking.

e. Environmental Benefit Analysis: Arkansas businesses will continue to benefit from a regulatory environment that is equivalent to the corresponding Federal requirements, and effective in ensuring that hazardous wastes and similar regulated materials are managed in an environmentally safe manner.

8. Regulation Number and Name: Regulation No. 34, State Water Permit Regulation; Docket No. 10-008-R.

a. Amendment Proposed By: Arkansas Department of Environmental Quality ("ADEQ").

b. Description: ADEQ filed its request to initiate rulemaking on November 22, 2010. Regulation No. 34 will deal primarily with the construction, modification, and operation of pits used for the storage, treatment, or discharge of fluids associated with oil and natural gas well activities in Arkansas.

The Commission initiated the rulemaking process on December 3, 2010, 2010, and no decision has been made.

c. Justification: The amendments to Regulation No. 34 provides a permit by rule to cover wastes that are not discharged into waters of the State but are stored, disposed, or discharged in a manner that, if unregulated, will cause, or are likely to cause, pollution to waters of the State.

d. Economic Impact: No economic impact is created by the state-initiated revisions in this proposed rulemaking.

e. Environmental Benefit Analysis: Arkansas businesses will continue to benefit from a regulatory environment that is equivalent to the corresponding Federal requirements, and effective in ensuring that the waters of the State are protected.

9. 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 ("ADEQ")

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 Arkansas Pollution Control and Ecology Commission's ("Commission") 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.

10. 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 ("ADEQ")

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. 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.

11. 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 ("ADEQ")

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 Arkansas Pollution Control and Ecology Commission's ("Commission") 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.

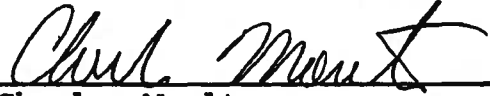
The Commission adopted the minute order initiating the rulemaking process on January 28, 2011, and no final decision has been made.

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.

4/7/11
Date


Charles Moulton
Administrative Hearing Officer
Arkansas Pollution Control and
Ecology Commission

REVENUE FROM AIR, WATER & SOLID WASTE PERMIT FEES

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

b

Description	Annual	Initial	Interim Authority	Modification	Unknown	Short-Term Authority	Total
General Operating Permit	\$ 16,000 80	\$ 6,400 32					\$ 22,400 112
Site Charge (Air LC)	\$ 420 7						\$ 420 7
Motor Source (Air MS)	\$ 230,546 190	\$ 1,172 1		\$ 8,571 21			\$ 240,289 212
Motor Vehicle Racing Facility (Air MVRF)							0 0
Reg 18.315	1,400 7						\$ 1,400 7
Site 5 (Air T5)	\$ 4,439,953 94	\$ 12,173 3		\$ 17,829 20			\$ 4,469,955 117
Site Charge (Air T5)	\$ 8,925 2						\$ 8,925 2
	\$ 4,697,244	\$ 19,745	\$ -	\$ 26,400	\$ -	\$ -	\$ 4,743,389
	\$ 380	\$ 36	\$ -	\$ 41	\$ -	\$ -	\$ 457
Class I Landfill	\$ 84,000 14			\$ 5,000 2			\$ 89,000 16
Class III commercial (SW 3C)							\$ - \$ -
Class III Tire Monofill (SW 3T)							\$ - 0

REVENUE FROM AIR, WATER & SOLID WASTE PERMIT FEES

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

Description	Annual	Initial	Interim Authority	Modification	Unknown	Short-Term Authority	Total
Class III Non-commercial	45,000 15			4,000 2			\$ 49,000 17
Class IV Landfill	7,500 15			1,000 1			\$ 8,500 16
Construction & Demolition Waste Recovery (Solid Waste CDRF)		\$ 900 1					\$ 900 1
Closed Facility (Solid Waste CL)							\$ - 0
Composting Yard Waste (Solid Waste CY)	\$ 5,700 13						\$ 5,700 13
Costclosure Fee (Solid Waste P)	\$ 2,000 4						\$ 2,000 4
Transfer Station or MRF	\$ 9,450 21			\$ 500 1			\$ 9,950 22
Solid Waste Recovery				\$ 500 1			\$ 500 1
State Charge (Solid Waste LC)							\$ - 0
	153,650 82	900 1	0 0	11,000 7		0 0	165,550 90

REVENUE FROM AIR, WATER & SOLID WASTE PERMIT FEES

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

Description	Annual	Initial	Interim Authority	Modification	Unknown	Short-Term Authority	Total
PDES Agricultural (Minor With xic)	\$ 106,569 15	\$ 30,000 2					\$ 136,569 17
PDES Saltwater (Minor Without xic)	\$ 213,817 144	\$ 7,576 5		\$ 4,000 2			\$ 225,393 151
PDES Cooling Water	\$ 30,607 5						\$ 30,607 5
PDES Coal Mining (converted)							\$ - 0
PDES Coal Mining	\$ 400 1						\$ 400 1
PDES Sanitary Landfill Run-off	\$ 3,333 9	\$ 400 1	\$ 200 1				\$ 3,933 11
PDES Bulk Petroleum Storage	\$ 1,600 4						\$ 1,600 4
PDES Individual Home Treatment	\$ 2,900 15	\$ 200 1					\$ 3,100 16
PDES Water Plant Backwash Filter	\$ 15,200 38	\$ 400 1					\$ 15,600 39
PDES Pipeline Hydrostatic Test	\$ 600 3	\$ 2,200 11					\$ 2,800 14

REVENUE FROM AIR, WATER & SOLID WASTE PERMIT FEES

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

Description	Annual	Initial	Interim Authority	Modification	Unknown	Short-Term Authority	Total
NPDES Car/truck Wash Facility	\$ 800 4						\$ 800 4
Ground Water Clean-Up (Water-NPDES GA)	\$ 1,000 2						\$ 1,000 2
Groundwater (Water-NPDES GB)							\$ - 0
Land and Gravel (Water-NPDES C)	\$ 1,800 9						\$ 1,800 9
Boiling Towers; Tower & Boiler Shutdown (Water-NPDES GE)	\$ 600 3						\$ 600 3
NPDES Major Non-municipal,	\$ 210,000 14	\$ 15,000 1					\$ 225,000 15
NPDES Major Non-municipal, MRAT -100	\$ 69,200 6						\$ 69,200 6
NPDES Discretionary Major	\$ 11,000 1						\$ 11,000 1
State Charge(Water-NPDES LC)	\$ 2,096 22						\$ 2,096 22
State Charge (Storm Water)	\$ 1,050 50						\$ 1,050 50
NPDES Major Municipal	\$ 203,380 23	\$ 11,750 2		\$ 5,000 1			\$ 220,130 26

REVENUE FROM AIR, WATER & SOLID WASTE PERMIT FEES

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

Description	Annual	Initial	Interim Authority	Modification	Unknown	Short-Term Authority	Total
Exposure Certification (Water- DES	\$ 14,700 74	\$ 600 3					\$ 15,300 77
DES Minor Aquatic Animal Prod							\$ - 0
DES Minor Variable Discharge	\$ 9,188 31						\$ 9,188 31
DES Construction Permit		\$ 6,750 18	\$ 400 2				\$ 7,150 20
DES Stormwater Manufacturing	\$ 127,033 637	\$ 7,400 37					\$ 134,433 674
DES Stormwater Construction	\$ 38,851 198	\$ 13,000 65					\$ 51,851 263
DES Stormwater: MSF Phase II	\$ 200 1						\$ 200 1
Interim Authority							0 0 0
	1,065,924 1,309	95,276 147	600 3	9,000 3	0 0	0 0	1,170,800 1,462

REVENUE FROM AIR, WATER & SOLID WASTE PERMIT FEES

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

Description	Annual	Initial	Interim Authority	Modification	Unknown	Short-Term Authority	Total
Short-Term Authorization							\$ - 0
Confined Animal or Small Sep	\$ 13,600 68	\$ 700 2					\$ 14,300 70
State Permits Branch Commercial or	\$ 41,042 83	\$ 1,400 4	\$ 200 1	\$ 1,000 2			\$ 43,642 90
Industrial Sludge App							\$ - 0
State Permits Branch Confined							\$ - 0
Wastewater Disposal (SPB H)	\$ 39,250 157	\$ 250 1		\$ 1,250 5			\$ 40,750 163
Oil & Gas Land Application		500 1					\$ 500 1
Oil & Gas Pits	300 1	39,300 131					\$ 39,600 132
OTW Non-NPDES Land App	\$ 1,000 2						\$ 1,000 2
State Charge(Water-SPB LC)	\$ 595 20						\$ 595 20
Interim Authority (Water-SPB Z)							\$ - 0
Short-Term Authorization (Water- SPB ST)		\$ 400 2				\$ 17,400 87	\$ 17,800 89

REVENUE FROM AIR, WATER & SOLID WASTE PERMIT FEES

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

Description	Annual	Initial	Interim Authority	Modification	Unknown	Short-Term Authority	Total
	\$ 95,787	\$ 42,550	\$ 200	\$ 2,250		\$ 17,400	\$ 158,187
	\$ 331	\$ 141	\$ 1	\$ 7		\$ 87	\$ 567
ate Permits Branch UIC - Class I	\$ 45,000						\$ 45,000
	3						3
terim Authority							\$ -
							0
	\$ 45,000	\$ -	\$ -	\$ -		\$ -	\$ 45,000
	3	0	0	0		0	3
	\$ 6,057,605	\$ 158,471	\$ 800	\$ 48,650	\$ -	\$ 17,400	\$ 6,282,926
	2105	325	4	58	0	87	2579

ADEQ REVENUE FROM PERMIT FEES AND LICENSES

All figures generated 03/31/2010, based on active invoices. Date range = 01-01-11 - 03-31-11

Invoice Identifier	Fee Code	Description	Fund	Collections
RST - Tank Installer Licenses	RST	Tank installer licenses	SRS0000	6,000.00
TKS - Storage Tank Fees	TKS	Storage Tank Fees		17,815.00
UST - Exam Fees	UST	Underground Storage Tank Exam Fees		1,425.00
ASB - Asbestos Licenses	ASB	Asbestos Licenses	SAC0000	26,460.00
LED - Individual Licenses - Lead	LED	Individual Licenses	MPL0000	400.00
CCL - Contractors Licenses - Lead	CCL	Contractors Licenses	MPL0000	2,400.00
			SAC0000	65,783.40
HWD - HW Permits	HWD	Hazardous Waste Permits	SHW0000	194,234.89
TRF - Transfer Facilities	TRF	Transfer Facilities		0.00
HWL- HW Licenses	HWL	HW Licenses		800.00
SFF - Superfund	HWD	Superfund permit fees	THS0000	0.00
			MEE0000	0.00
LAB - Lab Certification Fees	LAB	Lab Certification Fees	HMA0100	26,730.00
MPS - Mining Fees	MPS	Non-coal mining permit Fees	HMA0100	22,908.20
		Coal Mining Permit Fees	MAF0000	0.00
		Quarry Permit Fees	TLR0000	2,000.00
MBL - Mining Fees	MBL	Blaster Permits	MAF0000	0.00
DCO - Dump Control Officers	DCO	Dump Control Officer Licenses	TPE0000	0.00
SWL - Sanitary Landfill Operators	SWL	Sanitary Landfill Operator Licenses		5,370.00
TTL - Waste Tire Licenses	TTL	Waste Tire Licenses		4,860.00
TPF - Waste Tire Facilities	TPF	Waste Tire Facilities		0.00
MER - Mercury Switches	MER	Mercury Switches	TWS0100	645.00
SWF - Municipal Landfills	SWF	Municipal Landfill Fees	TWS0100	311,072.33
			TWS0200	933,217.07
			TWS0300	743,866.45
ILF - Industrial Landfills	ILF	Industrial Landfill Fees	TWS0100	8,124.05
			TWS0200	23,944.62
			SMB0000	10,689.56
WWL - Wastewater Licenses	WWL	Waste Water Operator Licenses	MWW0000	7,824.00

Total				2,416,569.57
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