BEFORE THE ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION

IN THE MATTER OF PROMULGATION OF ) DOCKET NO. 13-____-R
REGULATION NO. 6, REGULATIONS FOR THE STATE )
ADMINISTRATION OF THE NATIONAL POLLUTANT )
DISCHARGE ELIMINATION SYSTEM (NPDES) )

PETITION TO INITIATE RULEMAKING TO AMEND REGULATION NO. 6

The Arkansas Department of Environmental Quality (hereinafter “ADEQ”), for its
Petition to Initiate Rulemaking to Amend Regulation No. 6, Regulations for the State
Administration of the National Pollutant Discharge Elimination System (NPDES), states:

1. Act 954 of 2013 was passed the Arkansas General Assembly to address, *inter alia*, the
   implementation of water quality standards and criteria for minerals, including without
   limitation total dissolved solids, chlorides, and sulfates.

2. As APC&EC Regulation No. 6 is the regulation governing the development and issuance
   of NPDES permits by ADEQ, this regulation should be amended to incorporate and fully
   implement the provisions of Act 954.

3. Likewise, Act 402 of 2013 updated the financial assurance requirements for
   nonmunicipal domestic sewage treatment works and APC&EC Regulation No. 6 should
   be updated to incorporate those changes.

4. As the proposed changes to the regulation incorporates the language of Arkansas state
   statutes without substantive change, this proposed rule is exempt from the economic
   impact and environmental benefit analysis required by APC&EC Reg. 8.812 and the
   small business impact analysis required by Act 143 of 2007.

5. Lorielle Gutting and Ryan Benefield from ADEQ will be available to answer questions
   concerning this proposed rulemaking. A red-lined version of the regulation showing the
   proposed changes is attached as Exhibit “A” and is hereby incorporated by reference. A
copy of the Legislative Questionnaire and Financial Impact Statement is attached as Exhibit "B" and incorporated by reference. A proposed minute order is attached as Exhibit "C" and is hereby incorporated by reference.

WHEREFORE, ADEQ requests that the Commission initiate the rulemaking process and adopt the proposed Minute Order.

Respectfully Submitted,

By: [Signature]
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