

NOTICE OF PROPOSED CHANGES TO THREE AIR QUALITY REGULATIONS

The Arkansas Pollution Control and Ecology Commission (APC&EC) will hold three public hearings at North Little Rock March 8, 2011, to receive public comments on proposed changes to three APC&EC air pollution control regulations. The series of hearings will begin at 1:00 p.m. in the Commission Room at the Arkansas Department of Environmental Quality headquarters building, 5301 Northshore Drive, North Little Rock, AR 72118.

The deadline for submitting written comments on the proposed changes is 4:30 p.m. March 22, 2011.

In the event of inclement weather or other unforeseen circumstances, a decision may be made to postpone the hearings. If the hearings are postponed and rescheduled, a new legal notice will be published to announce the details of the new hearing date and comment period.

Separate hearings for APC&EC Regulation 18 (Arkansas Air Code), Regulation 19 (State Implementation Plan [SIP] for Air Pollution Control), and Regulation 26 (Arkansas Operating Air permit program) will be held, beginning with Regulation 18 at 1:00 p.m. After the Regulation 18 hearing has concluded, the Regulation 19 hearing will begin, and once it has ended, the Regulation 26 hearing will start.

APC&EC authority to revise Regulations 18, 19, and 26 is found in Arkansas Code, Annotated (A.C.A.), Section 8-4-301, et seq.

The proposed changes to all three regulations are in response to recent actions by the U.S. Environmental Protection Agency (EPA) involving new regulations for greenhouse gas (GHG) emissions; commonly referred to as the "GHG Tailoring Rule." GHGs involved in the rule are carbon dioxide, nitrous oxide, methane, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride.

In general, the proposed changes to Regulations 18, 19, and 26 involve the addition of carbon dioxide (CO₂) as an air contaminant or air pollutant under Arkansas regulations, making certain CO₂ emission sources subject to regulation by the ADEQ and requiring emission permits in some cases. Under the proposed changes, sources emitting less than 75,000 tons per year of CO₂ equivalent emissions would be exempt from permitting requirements. The CO₂ equivalent emissions for each source will be calculated by a formula involving the combined emissions of the six GHGs from the source. Amendments to Regulation 19 will be submitted to the EPA for inclusion into Arkansas' State Implementation Plan, and amendments to Regulation 26 will be submitted to the EPA for inclusion into Arkansas' Title V and Part 70 State Program.

Copies of the three proposed regulation changes are available for public inspection during normal business hours at the Public Outreach and Assistance (POA) Division in the ADEQ's headquarters building in North Little Rock, and in ADEQ information depositories located in public libraries at Arkadelphia, Batesville, Blytheville, Camden, Clinton, Crossett, El Dorado, Fayetteville, Forrest City, Fort Smith, Harrison, Helena, Hope, Hot Springs, Jonesboro, Little Rock, Magnolia, Mena, Monticello, Mountain Home, Pocahontas, Russellville, Searcy, Stuttgart, Texarkana, and West Memphis; in campus libraries at the University of Arkansas at Pine Bluff and the University of Central Arkansas at Conway; and in the Arkansas State Library, 900 W. Capitol, Suite 100, Little Rock. In addition, copies of the draft regulations showing the proposed changes, along with related support documents, are available for viewing or downloading on the draft regulations page of the ADEQ's Internet web site at www.adeq.state.ar.us.

Oral and written statements will be accepted at the hearings, but written comments are preferred in the interest of accuracy. In addition, written and electronic mail comments will be accepted if received no later than 4:30 p.m. March 22, 2011. Written comments should be mailed to Doug Szenher, POA Division, Arkansas Department of Environmental Quality, 5301 Northshore Drive, North Little Rock, AR 72118. Electronic mail comments should be sent to: reg-comment@adeq.state.ar.us.

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Teresa Marks, Director,
Arkansas Department of Environmental Quality