

BEFORE THE ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION

**IN THE MATTER OF THE OZARK SOCIETY AND
THE ARKANSAS PUBLIC POLICY PANEL**

DOCKET NO. 14-002-R

NOTICE OF AMENDED PROPOSED RULE

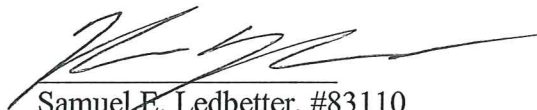
This notice informs the Commission that petitioners seek legislative review and final adoption of the proposed rule attached to this Notice as Exhibit A. The attached proposed rule differs from Exhibit A attached to petitioners' Amended Petition to Initiate Third-Party Rulemaking in one way: the addition of paragraph (E) to proposed Reg. 5.901. Petitioners seek legislative review, and will move for final adoption upon completion of such review.

2015 JUN 19 PM 2:30

AR. POLLUTION CONTROL
& ECOLOGY COMMISSION
FILED BY

Respectfully Submitted,

By:



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CERTIFICATE OF SERVICE

I, Ross Noland, hereby certify that a copy of the foregoing has been sent via electronic mail to the following parties of record, this 19th day of June 2015.

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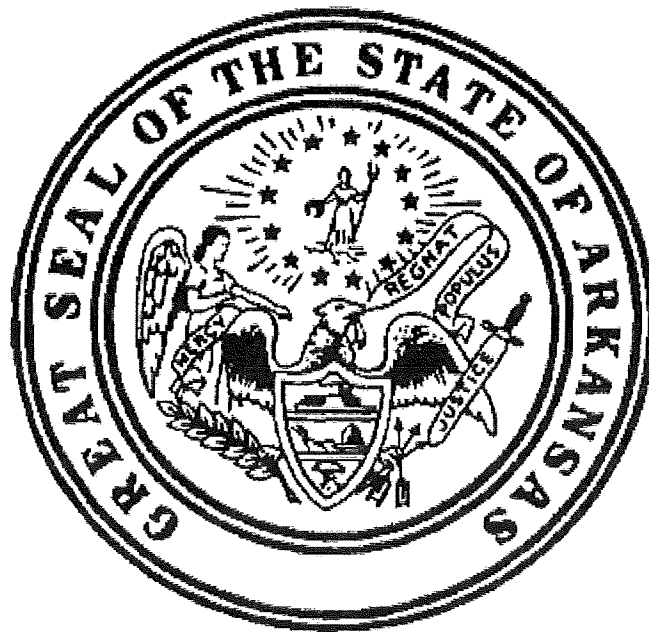


Ross Noland

EXHIBIT A

Arkansas Pollution Control and Ecology Commission

Regulation No. 5 Liquid Animal Waste Management Systems



DRAFT FOR LEGISLATIVE REVIEW

Regulation Number 5
Liquid Animal Waste Management Systems

Table of Contents

Chapter 1: TITLE, PURPOSE AND APPLICABILITY	1-1
Reg. 5.101 Title	1-1
Reg. 5.102 Purpose	1-1
Reg. 5.103 Applicability	1-1
Reg. 5.104 Policy for Compliance	1-1
Reg. 5.105 Exemption	1-2
Chapter 2: DEFINITIONS	2-1
Reg. 5.201 Definitions	2-1
Chapter 3: PERMIT, APPLICATIONS AND PROCEDURES	3-1
Reg. 5.301 Requirements for a Permit.....	3-1
Reg. 5.302 Permit Application Process	3-1
Reg. 5.303 Prohibition	3-1
Reg. 5.304 Reserved	3-1
Reg. 5.305 Permit Modification	3-1
Reg. 5.306 Minor modifications of permits	3-2
Chapter 4: TECHNICAL REQUIREMENTS.....	4-1
Reg. 5.401 Approval of Design	4-1
Reg. 5.402 Design Requirements	4-1
Reg. 5.403 Siting Requirements	4-1
Reg. 5.404 Subsurface Investigation Requirements	4-1
Reg. 5.405 Waste Management Plan	4-2
Reg. 5.406 Land Application Requirements	4-2
Reg. 5.407 Record Keeping Requirements	4-3
Chapter 5: FACILITY CONSTRUCTION CERTIFICATION	5-1
Reg. 5.501 Facility Construction Certification	5-1
Chapter 6: ALTERNATIVE PERMITTING AND WASTE MANAGEMENT	6-1

Reg. 5.601	Permit for Land Application Site Only	6-1
Reg. 5.602	Composting	6-1
Chapter 7:	FACILITY CLOSURE	7-1
Reg. 5.701	Closure Plan Required	7-1
Chapter 8:	ADMINISTRATIVE PROCEDURES	8-1
Reg. 5.801	Penalty Policy and Administrative Procedures	8-1
Reg. 5.802	Severability	8-1
Chapter 9:	<u>WATERSHED SPECIFIC REGULATIONS.....</u>	<u>9-1</u>
Reg. 5.901	<u>Buffalo River Watershed.....</u>	<u>9-1</u>
Chapter 910:	EFFECTIVE DATE.....	<u>910-1</u>
Reg. 5.91001	Effective Date	<u>910-1</u>

Chapter 9 : WATERSHED SPECIFIC REGULATIONS

Reg. 5.901 Buffalo National River Watershed

- (A) The following definitions apply to Reg. 5.901:
- (1) The “Buffalo National River Watershed” is the area within United States Geologic Service Hydrologic Unit Code 11010005.
 - (2) “Coverage” means a notice of coverage issued pursuant to a National Pollution Discharge Elimination System general permit and Regulation No. 6.
- (B) The Director shall not issue a permit pursuant to Regulation No. 5 for a Confined Animal Operation in the Buffalo National River Watershed with:
- (1) 750 or more swine weighing 55 pounds or more; or
 - (2) 3,000 or more swine weighing less than 55 pounds.
- (C) Reg. 5.901(B) does not prohibit the Director from:
- (1) Issuing a permit renewal or modification for a Confined Animal Operation in the Buffalo National River Watershed with an active permit as of the effective date of this regulation; or
 - (2) Issuing a new Regulation No. 5 permit for a facility which holds an active Regulation No. 6 permit or coverage as of the effective date of this regulation.
- (D) A permit renewal, permit modification, or new permit issued pursuant to Reg. 5.901(C) shall not increase the number of swine permitted at a facility.
- (E) Five years from the effective date of this regulation the Director may initiate rulemaking to either delete this paragraph, Reg. 5.901(E), or delete the entirety of Reg. 5.901.

Chapter 9 10 : EFFECTIVE DATE

Reg. 5.91001 Effective Date

This regulation is effective ten (10) days after filing with the Secretary of State, the State Library and the Bureau of Legislative Research.