

Arkansas Pollution Control and Ecology Commission Regulation No. 8 (Administrative Procedures): Revised Draft Revisions



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The Arkansas Department of Environmental Quality (“ADEQ”) recently posted revised draft revisions to Arkansas Pollution Control and Ecology Commission No. 8 (Administrative Procedures) (“Reg. 8”).

These revisions are a subsequent draft of a version that had been issued on January 25th. (See March 2nd post regarding the January version of the Reg. 8 revisions [here.](#))

Reg. 8 encompasses the administrative procedures for both ADEQ and the Arkansas Pollution Control and Ecology Commission (“Commission”) utilizing various procedures.

The administrative procedures for Reg. 8 address:

- Permits
- Grant, loan, and tax credit decisions
- Enforcement actions
- Emergency actions
- Practice and procedure for appeals
- Rulemaking
- Other matters

Exhibit A of what is styled the “REVISED Mark-up Draft” are stated to include:

1. Shortened all references to “electronic mail” to “email;”
2. Added language to allow submission of documents to ADEQ in other electronic media in an ADEQ-approved format in the following sections
 - a. 8.201: Definition of “Public comment;”
 - b. 8.306(D);
 - c. 8.307(E)(1);
 - d. 8.309(E);
 - e. 8.404(D)(8);
 - f. 8.405(E); and
 - g. 8.1006(C);
3. 8.1002: Changed to ADEQ’s website;
4. 8.1007: Simplified language;
5. 8.1018: Changes for consistency with 8.1007

A link to the document can be found [here](#).