

# Arkansas Air Regulations: Arkansas Department of Environmental Quality Proposed Streamlining/Listening Session



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The Arkansas Department of Environmental Quality (“ADEQ”) has scheduled a listening session for August 13th on a pre-proposal draft regulation which is described as streamlining Arkansas Air Quality Regulations.

The pre-proposal draft regulation (“Draft”) is stated to be a project of the agency’s multi-year Air Integrated Regulation (“AIR”) Streamlining Project effort.

ADEQ describes the listening session as an additional opportunity to provide feedback to the agency on the Streamlining Project prior to initiation with the Arkansas Pollution Control and Ecology Commission.

The air regulations referenced as potentially being consolidated include:

- Regulation No. 18 – Arkansas Air Pollution Control Code;
- Regulation No. 19 – Regulations of the Arkansas Plan of Implementation for Air Pollution Control
- Regulation No. 26 – Regulations of the Arkansas Operating Air Permit Program
- Regulation No. 31 – Nonattainment New Source Review Requirements

These four regulations would be consolidated into a single regulation styled “Regulation No. 35 – Arkansas Air Quality Regulation.”

By way of background, the current substantive structure of the Arkansas Air Pollution Control programs is provided by these four key regulations. For example, Regulation No. 19 represents the substantive provisions of the Arkansas State Implementation Plan as applicable to state sources in the air permit process. Further, Arkansas promulgated Regulation No. 26 to qualify for delegation of the Clean Air Act Title V operating permit program. Regulation No. 26 is generally a state codification of the federal regulations promulgated to implement the federal Title V program. Permitting pursuant to Regulation No. 18 generally applies to minor sources of air pollutants.

The August 13th meeting will be held from 1:00 to 3:00 p.m. via conference call. [Information for participating in the conference call can be found here.](#)