

# Arkansas Department of Environmental Quality Stakeholders Meeting: June 8th – Petroleum Storage Tanks



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The Arkansas Department of Environmental Quality (“ADEQ”) will hold a stakeholders meeting at 2:00 p.m. on Thursday, June 8th, to address several pending underground and aboveground storage tank issues.

The meeting will be held in the agency’s Commission room at its headquarters at 5301 Northshore Drive in North Little Rock, Arkansas.

I understand the purpose of the meeting is to review a variety of issues associated with the State of Arkansas’s amendment of its rules to meet changes that the United States Environmental Protection Agency (“EPA”) made to the underground storage tank (“UST”) rules in 2015.

Arkansas has primacy and has been delegated UST regulatory authority for many years. Therefore, it is a delegated state. Arkansas must amend its rules to meet the federal baseline requirements. As a result, there is significant interest of the agency and the regulated community to ensure that the state submits an approval UST amended package to EPA within the necessary time period.

I believe an additional focus of the meeting will be legislation enacted by the 91st Arkansas General Assembly which will require revisions to the relevant agency regulations such as Arkansas Pollution Control and Ecology Commission Regulation 12. For example, Act 584 undertook certain revisions to the regulation of petroleum aboveground storage tanks (“ASTs”). Act 584 made two principal revisions to AST legislative requirements that include:

- Makes the registration of Aboveground Storage Tanks optional.
- An Aboveground Storage Tank that contains petroleum may be registered for the purpose of allowing potential eligibility for reimbursement under the Petroleum Storage Tank Trust fund.

[A post describing Act 584 including relevant background information can be found here.](#)

This legislative change will necessitate revisions to Regulation 12. Additional legislation addressed the criteria for requiring secondary containment in replacing piping and that will presumably also have to be addressed in the regulations. House Bill 1635 revised Ark. Code Ann. 8-7-816 in regards to this issue. [A link to an article providing relevant background information can be found here.](#) Further, I understand that certain changes to Regulation 12 are being proposed to address trust fund eligibility transfer procedures.

I believe one of the ADEQ contacts for the stakeholder meeting is Wanda Paes and her contact information is below:

Wanda Paes

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