

Arkansas Pollution Control and Ecology Regulation No. 12 (Storage Tanks): Notice of Proposed Regulation Changes/Public Hearing/Public Comment Period



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The Arkansas Department of Environmental Quality (“ADEQ”) announced that the Arkansas Pollution Control and Ecology Commission (“APC&EC”) will hold a public hearing in North Little Rock on September 6th to receive comments on proposed revisions to APC&EC Regulation 12 (Storage Tanks).

Regulation 12 addresses a number of issues associated with certain storage tanks such as:

- Implementation of Federal Resource Conservation and Recovery Act Subtitle I petroleum underground storage tank (“UST”) regulations
- Fee/registration requirements
- Implementation/operation of petroleum storage tank trust fund
- Certification/licensing of UST installers, etc.

ADEQ states that the proposed revisions to Regulation 12 include:

- Revisions to Reg. 12.109 removing the 1,000 foot limitation related to secondary containment and monitoring for all new or replaced USTs
- Secondary containment and monitoring for all new or replaced piping connected to any UST
- Under-dispenser containment for all new or replaced motor fuel dispenser systems as required by Act 534 of 2017
- Changing registration of petroleum aboveground storage tanks (“ASTs”) to optional as required by Act 584
- Allowing the owner or operator of a petroleum AST to be potentially eligible for reimbursement under the Petroleum Storage Tank Trust Fund if the tank is registered and all fees paid as required by Act 584 of 2017
- Incorporate changes in the Federal Register as provided in 80 Fed. Reg. 41566-41683 (July 15, 2015) which address airport hydrant fuel distribution systems and field constructed tanks
- Changing the date that Regulation 12 incorporates federal regulations by reference in Reg. 12.104
- Minor revisions to include typographical, grammatical, formatting, and stylistic errors
- A minor change to Reg. 12.320 as required by Act 257 of 2017

The Regulation 12 hearing will begin at 2:00 p.m. and be held in the ADEQ Commission Room at the agency's headquarters in North Little Rock. Written comments must be received no later than 4:30 p.m. September 20, 2017.

[A copy of the ADEQ notice can be downloaded here.](#)