

Quarterly Newsletter

Associate Director's Update

Arkansas Meeting 2015 Ozone Standard

Good news! The United States Environmental Protection Agency (EPA) recently provided information to ADEQ confirming that Arkansas is meeting the 2015 ground-ozone ambient air quality standards. Accordingly, EPA designated all of Arkansas "attainment/unclassifiable." Along with this designation EPA encouraged ADEQ to continue its "efforts to maintain air quality that meets the 2015 ozone standards." A prepublication version of the notice listing official designations is available at: <https://www.epa.gov/ozone-designations/designations-2015-ozone-standards>.

Arkansas Meeting 2010 Sulfur Dioxide Standard

More good news! EPA recently issued attainment designations for the National Ambient Air Quality Standard (NAAQS) for sulfur dioxide (SO₂) for counties in Arkansas. All counties in Arkansas have been designated Attainment, Unclassifiable/Attainment, or Unclassifiable.

SO₂ monitors are located in Pulaski and Union Counties, where monitoring data shows the counties to be in attainment of the standard. Dispersion modeling performed in other areas with SO₂ emissions above the threshold requiring evaluation also showed all areas to be in attainment. Most counties in Arkansas do not have SO₂ monitors because there is no indication that emission sources within those counties might contribute to a NAAQS violation. In the case of counties that have not previously been designated as non-attainment for sulfur dioxide, where dispersion modeling has indicated no contribution to a NAAQS violation from emissions in the county, or where no monitoring data is available because emissions in those counties are not believed to pose a risk of a NAAQS violation, EPA designates the counties as Unclassifiable/Attainment or Unclassifiable. As EPA recently clarified in a letter to ADEQ's Office of Air Quality, those counties in Arkansas where no monitor is present fall into one of these two categories.

To subscribe to or remove your name from our mailing list, please [click here](#).

Questions or comments? Please [click here](#) or call the ADEQ Helpline at 501-682-0923.

Fall 2017



Whitaker Point—Upper Buffalo Wilderness Area

Office of Air Quality
Associate Director

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501-682-0750

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www.adeq.state.ar.us/air/

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Policy and Planning

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Regional Haze SIP Proposal

ADEQ is seeking public comment on a second Regional Haze state implementation plan (SIP) revision. This proposed SIP revision follows a recently finalized revision that allows power plants to satisfy regional haze nitrogen oxides requirements through compliance with the Cross-State Air Pollution Rule. This proposed SIP revision seeks to address the sulfur dioxide and particulate matter requirements for power plants.

ADEQ intends for the two SIP revisions, upon approval by EPA, to effectively replace requirements for power plants contained in the EPA's recent regional haze federal implementation plan promulgated in 2016 and to help resolve all or part of the litigation challenging EPA's federal implementation plan.

For more information about the status of the regional haze state SIP, including how to comment on the proposed SIP revision, please visit our regional haze webpage: <https://www.adeg.state.ar.us/air/planning/sip/regional-haze.aspx>.

Go RED! 2016/2017 Success

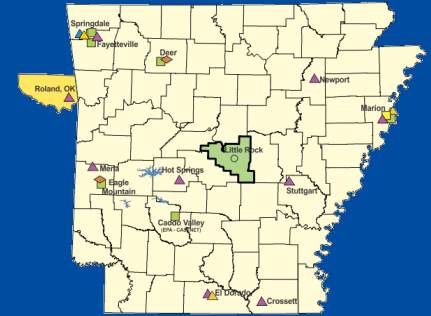


2016/2017 Go RED! Awards

- ☺ Clinton School District (2 buses)
- ☺ Danville School District (1 bus)
- ☺ County Line School District (1 bus)
- ☺ Dover School District (2 buses)
- ☺ Yellville-Summit School District (2 buses)
- ☺ Jasper School District (3) buses
- ☺ Riverside School District (2 buses)
- ☺ Viola School District (1 bus)
- ☺ Southern Refrigeration Transport – 20 Truck Stop Electrification Units

During the 2016/2017 **Go RED!** grant cycle, ADEQ awarded \$326,917 in funding assistance for voluntary emission reduction projects to reduce diesel emissions in Arkansas.

For our 2017/2018 **Go RED!** grant cycle, \$219,359 will be available to fund projects. The **Go RED!** website (<https://www.adeg.state.ar.us/air/planning/gored/>) has been updated with new application guidance and templates. ADEQ will begin accepting proposals on December 1, 2017.



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[Policy and Planning Home Page](#)

[State Implementation Plan](#)

[Go RED!](#)

[Monitoring Site Map](#)

[Ozone](#)

[SLEIS](#)

[Volkswagen Settlement](#)

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Permits

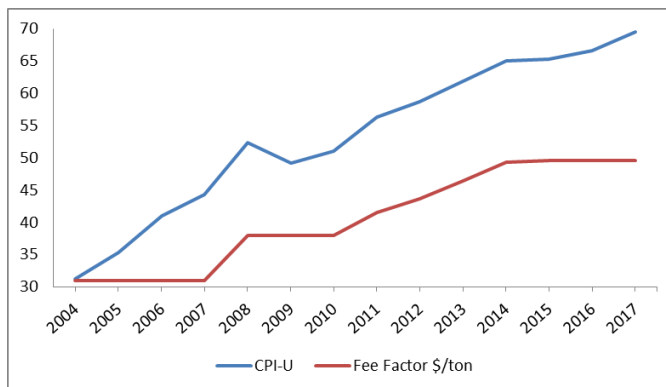
Sr. Ops Manager

Thomas Rheaume

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Air Permit Fee Factor Remains Unchanged

The annual evaluation of the dollar per ton (\$/ton) fee factor for air permits resulted in no change. The factor will remain at \$23.93/ton of chargeable emissions. Even though the basis for the fee factor, CPI (Consumer Price Index For All Urban Consumers), increased, spending by the Office of Air Quality on permit activities remained within fund balances. Since 2004, fee increases have been below CPI-U increases.



Reorganized Permits Branch Website Pages

The Permits Branch is in the midst of a reorganization of its website. The changes will focus on eliminating the duplication of links to application forms and directing applicants to ePortal, the online permit application site. The ADEQ ePortal system is an online service that allows the public to submit electronic permit applications, registrations, reports, and other forms to ADEQ in a secure, online environment. After submitting a form, this system also allows the progress of the submission to be tracked.

Dispersion Modeling

Instructions on when and how dispersion modeling is expected for minor air permits has been finalized and posted on the Permits Branch webpage. The document can be also be obtained at <https://www.adeq.state.ar.us/air/permits/pdfs/modeling-instruction.pdf>

Survey on Permit Process

At least 65 responses were received on the Permits Branch survey. We appreciate all the responses received to date. Upon review of the responses, we plan to develop strategies to improve the process. You can still participate by completing the survey at <https://www.surveymonkey.com/r/AirAdminComplete>.



Visit our Web pages

[Air Permits Home Page](#)

[View Draft Permits](#)

[Application Forms and Instructions](#)

[Permit Application and Other Requests Tracking Database](#)

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Compliance

Municipal and County Emergency Burn Sites Pre-Assessment Program

The Municipal and County Burn Sites Pre-Assessment Program is off the ground! Lafayette County was the first county in Arkansas to take advantage of it with three burn sites officially approved by ADEQ for use in the event of an emergency.

This program came about as an opportunity for coordination between municipalities, counties, and ADEQ to establish pre-assessed burn sites for disposal of vegetative debris in the event of a disaster in accordance with Arkansas Act 330 of 2017. Prior to implementation of this program, ADEQ had to assess and approve sites after an emergency occurred, which could result in delays, and there was not a mechanism for retaining records on burn sites reused from previous natural disasters.

Under the pre-assessment program, counties and municipalities identify up to four locations to be assessed by ADEQ inspectors. ADEQ then evaluates each identified site for suitability and consistency with FEMA requirements for disposal burn sites. Pre-assessed sites afford counties and municipalities advance knowledge of where the vegetative debris will be staged so emergency planning can be completed without having to wait for ADEQ approval. In the event of a situation requiring vegetative debris burning, the municipality or the county judge simply notifies ADEQ which pre-assessed site will be used, when burning of the vegetative debris will commence, and that the site has not materially changed since the date of assessment. This significantly reduces the amount of paperwork that has to be generated at a time when the focus should be toward communal recovery.

Members of the Office of Air Quality presented this opportunity to the county judges during the Annual Judges Convention in Fort Smith earlier this year. This was the first opportunity to present this program, and Lafayette County was the first to register a site. Hats off to County Judge Mike Rowe for leading the charge along with Danny Ormand; Mayor David Bright of Stamps; and Mayor Renee Ikegulu of Bradley for registering sites under this program.

If you need more information you may contact Heinz Braun by email; braun@adeq.state.ar.us or by phone at 501-682-0756 or Brent Day by email; day@adeq.state.ar.us or by phone at 501-682-0766.

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[District Inspectors](#)

[Monitoring and Certification Databases](#)

[Yard Waste](#)

[Hydrogen-Sulfide Testing at Georgia-Pacific Crossett](#)

Enforcement and Asbestos

Environmental Self-Disclosure Incentive Policy



The Environmental Self-Disclosure Incentive Policy (Policy) guides the Office of Air Quality, Enforcement Section, in the exercise of its enforcement discretion and outlines conditions in which the amount of the gravity-based component of civil penalties calculated for consent administrative orders (CAO) may be reduced.

The Policy is for settlement purposes only and provides the following eight conditions for consideration:

Regulated entities that meet all the requirements and conditions of the

Systematic Discovery of Violations	Voluntary Discovery
Prompt Disclosure	Discovery Made Independently
Correction and Remediation	Prevention of Recurrence
No Repeat Violations	Cooperation

Policy may have the civil penalty in a CAO mitigated up to 100%. Regulated entities that meet all of the requirements and conditions of the Policy except the condition regarding the systematic discovery of violations may have the civil penalty in a CAO mitigated up to 75%.

Requests for penalty mitigation under this Policy, and documentation supporting the request, should be submitted to:

The Director's Office
Arkansas Department of Environmental Quality
5301 Northshore Drive
North Little Rock, AR 72118-5317

The Policy in its entirety can be found at https://www.adeg.state.ar.us/legal/pdfs/env_self_disclosure_incentive_policy.pdf.

Arkansas Asbestos Abatement Grant Tragedy Turned Into Triumph

A typical May day in Morrilton, AR in 2011 turned tragic when a century-old building suddenly collapsed, injuring many individuals and sadly kills a young child. Because of that tragedy, city, county, and state officials worked together to enact Arkansas Act 489 of 2013, which created the Arkansas Asbestos Abatement Grant Program (the Grant).

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Asbestos and Enforcement

In an effort to provide relief to local government entities, the Grant initially introduced by Act 489 of 2013 offered funding assistance (\$150,000 per year) to eligible counties and cities for assessment, stabilization, and asbestos abatement activities of an eligible structure. Arkansas Act 456 of 2017 revised the population eligibility requirement, amended the definition of an eligible structure, and stipulated specific uses of grant funds.

Eligibility requirements for counties and cities to received grant funds include:

- 1. Must have a population less than 50,000;*
- 2. The eligible structure must contain friable asbestos materials; unexpectedly collapse, be in imminent risk of collapse, or fail in its structural integrity; and is not a single or multi-family dwelling; and*
- 3. The city or county either has to have taken ownership of or owns the eligible structure since the structure collapsed, was at imminent risk of collapse, or failed in its structural integrity.*

The Asbestos staff continually strives to promote awareness about the Grant. Since the implementation of the Grant, five cities and counties have been awarded funds. The Grant applications and associated documents are due by June 1st of each year. The current application period has been extended.

Asbestos Worker Certification

One of the purposes of the Arkansas Asbestos Abatement Regulation 21 is to administer and enforce a program for the certification of multiple disciplines, including Workers. In recent months, there have been instances where workers certifications were expired; however, they were still carrying out asbestos-related activities on a work site. Reg. 21.1701 Expired Licenses/Certificates provides in part that an individual that holds an asbestos certification and allows the certificate to expire shall not conduct asbestos related work until all renewal requirements are met and a new certification is issued by the Department. The same holds true for individuals that hold asbestos licenses.

In addition, individuals engaging in renovation, demolition, or response activities involving RACM must be trained, certified and meet all other requirements of Regulation 21. For more information on asbestos certification and/or licensing requirements call (501)682-0718 or email asbestosubmission@adeq.state.ar.us.

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