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From: Bloomberg BNA
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EHS State Regulatory Alert

November 28, 2017 - Number 227

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Arkansas

RADIATION

Control of Sources of Ionizing Radiation

Arkansas RADIATION

Final rule of the Department of Health, Radiation Control Section, amends regulations regarding the control of sources of ionizing radiation. The rule addresses reportable safety events involving special nuclear material by increasing the time Nuclear Regulatory Commission licensees are allowed to submit a written follow-up report from 30 to 60 days after the initial report of an event, updating the reporting framework for certain situations, and removing unnecessary reporting requirements. The rule also conforms provisions with NRC regulations based on International Atomic Energy Agency 2009 standards for the international transportation of radioactive material and ensures consistency with other federal standards. In addition, the rule clarifies transportation requirements, re-establishes restrictions on materials that qualify for the fissile material exemption, and updates administrative procedures. The rule is effective Oct. 1, 2017. Contact: DOH, Radiation Control Section; 501-661-2301; adh.ram@arkansas.gov

—Arkansas Register (10/02/2017)

Regulatory Update

WATER

Floodplain Administrator Accreditation Program

Arkansas WATER

Proposed rule of the Natural Resources Commission would amend regulations under Title 18 regarding the floodplain administrator accreditation program. The rule would allow for expedited accreditation for active duty military, returning military veterans, and spouses; for military training and experience to be accepted in lieu of experience or education; and for temporary accreditation for active duty military, returning veterans, and spouses when they hold a substantially equivalent accreditation issued by another state that is in good standing. The rule also would allow an exemption from continuing education requirements for such individuals. In addition, the rule would provide that certification issued to active duty military members or

spouses will not expire until 180 days following their return from active deployment. A hearing is scheduled for Dec. 11, 2017, in Little Rock. Comments are due Dec. 27, 2017. Contact: Bruce Holland; NRC, Water Resources Management Division; 501-682-1611

—Arkansas Register (11/21/2017)

Regulatory Update

WATER

Nutrient Management Applicator Certification

Arkansas WATER

Proposed rule of the Natural Resources Commission would amend regulations under Title 21 regarding the nutrient management applicator certification program. The rule would allow for temporary accreditation for active duty military, returning veterans, and spouses when they hold a substantially equivalent accreditation issued by another state that is in good standing. The rule would allow for such individuals to receive expedited certification, a continuing education exemption, and consideration of military training experience in lieu of experience or education. In addition, the rule would provide that certification issued to active duty military members or spouses will not expire until 180 days following their return from active deployment. A hearing is scheduled for Dec. 11, 2017, in Little Rock. Comments are due Dec. 27, 2017. Contact: Bruce Holland; ANRC, Water Resources Management Division; 501-682-1611

—Arkansas Register (11/21/2017)

Regulatory Update

WATER

Nutrient Management Planner Certification Program

Arkansas WATER

Proposed rule of the Natural Resources Commission would amend regulations under Title 20 regarding the nutrient management planner certification program. The rule would allow for temporary accreditation for active duty military, returning veterans, and spouses when they hold a substantially equivalent accreditation issued by another state that is in good standing. The rule would allow for such individuals to receive expedited certification, a continuing education exemption, and consideration of military training experience in lieu of experience or education. In addition, the rule would provide that certification issued to active duty military members or spouses will not expire until 180 days following their return from active deployment. A hearing is scheduled for Dec. 11, 2017, in Little Rock. Comments are due Dec. 27, 2017. Contact: Bruce Holland; NRC, Water Resources Management Division; 501-682-1611

—Arkansas Register (11/21/2017)

Regulatory Update

WATER

Permit Fees

Arkansas WATER

Final rule of the Department of Environmental Quality, Pollution Control and Ecology

Commission, amends Regulation 9 regarding permit fees. The rule adds a definition of “quantity” and clarifies formulas for calculation of water permit fees. The rule also incorporates a fee calculation for minor municipal and nonmunicipal facilities with National Pollutant Discharge Elimination System permits for limits of toxic pollutants based on total maximum daily load to allow the agency to assess lower water permit fees for qualifying facilities. In addition, the rule updates the fee schedule to reflect permits currently offered by the Office of Water Quality and removes four obsolete general permits. Finally, the rule modifies provisions concerning contribution fees for the Nonmunicipal Domestic Sewage Treatment Works Trust Fund. The rule is effective Oct. 8, 2017. Contact: Kelly Robinson; DEQ; 501-682-0916; reg-comment@adeq.state.ar.us

—Arkansas Register (10/02/2017)

Regulatory Update

WATER

Water Well Construction Commission Rules and Regulations

Arkansas WATER

Proposed rule of the Water Well Construction Commission would adopt Rule 3.11 regarding water well standards. The rule would allow for temporary accreditation for active duty military, returning veterans, and spouses when they hold a substantially equivalent accreditation issued by another state that is in good standing. The rule would allow for such individuals to receive expedited certification, a continuing education exemption, and consideration of military training experience in lieu of experience or education. In addition, the rule would provide that certification issued to active duty military members or spouses will not expire until 180 days following their return from active deployment. A hearing is scheduled for Dec. 11, 2017, in Little Rock. Comments are due Dec. 27, 2017. Contact: Bruce Holland; WWCC; 501-682-1611

—Arkansas Register (11/21/2017)

Regulatory Update

Florida

WATER

St. Johns River WMD/Consumptive Use Permits

Florida WATER

Final rule of the St. Johns River Water Management District amends regulations under FAC 40C-2.031 through .900 (nonconsecutive) to revise consumptive use permit (CUP) procedures and exemptions. The rule removes the secondary user permit requirement and allows only one pending CUP application at a time. The rule also establishes a general permit-by-rule for temporary emergency water uses, expands the permit exemption for fire protection, removes water quality permitting criteria, and expands the use of permit modifications by letter. In addition, the rule clarifies the Water Audit Form and adds market conditions to the list of factors for agricultural CUPs for irrigation that will not result in reduction of the permitted allocation during the permit term. The rule is effective July 1, 2018. Contact: Thomas Mayton; SJRWMD; 386-329-4108; tmayton@sjrwmd.com

—Florida Administrative Weekly (11/14/2017)

Regulatory Update

South Dakota

AIR

Title V Air Quality Permitting Program/Air Emission Fees

South Dakota AIR

Final rule of the Department of Environment and Natural Resources amends regulations under ARSD 74:37:01:03.01, :04, :05, :07, :07.01, :07.02, and :07.03 regarding air emission fees for the Title V air quality permitting program. The rule increases application and administrative fees; annual air emission fees; and annual flat fees for rock crushers, asphalt plants, and coal-fired power plants. The rule also provides for annual adjustments for the various fees based on the consumer price index. The rule is effective Dec. 5, 2017. Contact: Kyrik Rombough; DENR; 605-773-3151

—South Dakota Register (11/20/2017)

Regulatory Update

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