

**ARKANSAS POLLUTION CONTROL
AND ECOLOGY COMMISSION**

**SUBJECT: Petition to
Initiate Rulemaking - 8
CAR pt. 22**

MINUTE ORDER NO. 26-09

Docket No. 26-001-R

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On September 11, 2026, the Arkansas Department of Energy and Environment, Division of Environmental Quality ("DEQ") filed a Petition to Initiate Rulemaking to Approve Amendments to 8 CAR pt. 22, "Licensing of Wastewater Treatment Operators." The Petition has been designated as Docket No. 26-001-R.

The Commission met on September 25, 2026, to review the Petition and institute a rulemaking proceeding to consider adopting the proposed amendments to 8 CAR pt. 22. The Commission also recommends adoption of the following procedures and schedule:

1. DEQ will file a pdf electronically and the original and three (3) copies of all materials required under this Minute Order.
2. DEQ will publish notice of this rulemaking in a newspaper of general circulation for two (2) consecutive days.
3. A public hearing will be conducted on October 29, 2026, at 2:00 p.m., in the Commission Room, 5301 Northshore Drive, North Little Rock, Arkansas.
4. The period for receiving all written comments concludes ten (10) business days after the date of the public hearing, at 4:30 p.m., on November 13, 2026, unless an extension of time is granted. People submitting written public comments shall submit them to DEQ. DEQ will deliver public comments to the Commission Secretary within ten (10) business days after the close of public comments.
5. After the period for public comment, DEQ shall file with the Commission a Statement of Basis and Purpose and Responsive Summary as required by 8 CAR § 11-814 and by 8 CAR § 11-815. In addition, DEQ shall file a proposed Minute Order deciding this matter.
6. The Commission may consider this matter at the January 2027 meeting, unless the public comment period is extended. The Commission may ask questions of any persons who made oral or written comments.
7. At the Commission meeting, the presentation of oral statements and legal arguments will be regulated as follows:

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- a. The Chair of the Commission will permit members of the public to make a statement to the Commission. No more than three (3) minutes will be allowed for each statement. The period for statements will close at the end of one (1) hour, or sooner if all interested people have completed their statements. At the discretion of the Chair, the one (1) hour oral statement period may be extended.
 - b. At the discretion of the Chair, an attorney representing one (1) or more individuals, a corporation, or other legal entity, may be permitted five (5) minutes to address the Commission.
 - c. DEQ shall be permitted ten (10) minutes to address the Commission.
 - d. At the conclusion of all statements, the Chair will call on each Commissioner for the purpose of asking the attorneys or people sponsoring statements who are present for any questions they have. Attorneys will not be permitted to respond or ask follow-up questions of any person questioned by a Commissioner.
 - e. After each Commissioner has had an opportunity to ask questions, the Chair will entertain a motion on the matter, allow discussion, and call for a vote of the Commission members.
8. Pursuant to Reg. 8.812, DEQ shall prepare an economic impact and environmental benefit analysis based on information that is reasonably available.
 9. DEQ shall seek review of the proposed rule from the Joint Interim Committee on Administrative Rules of Legislative Council, and if required, the Joint Interim Committee on Public Health and Welfare and Labor. If the General Assembly is in session and chooses to review the proposed rule amendments, DEQ may seek review by the designated committees and subcommittees.

The Commission hereby initiates the rulemaking proceeding in this docket. The Commission adopts, without modification, the procedural schedule set forth above.

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BY: _____
Thomas H. McWilliams, Chairman

COMMISSIONERS:

BB B. Batton
WE W. Eckert
RM R. McMullen

TM T. McWilliams
WF W. Ward
NH Nathan Ford

TH SUBMITTED BY: Basil Hicks, III PASSED: 09/25/2026
Thomas H. McWilliams, Chairman