

BEFORE THE ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION

**IN THE MATTER OF PROMULGATION OF)
REGULATION NO. 36,)
USED TIRE RECYCLING AND)
ACCOUNTABILITY PROGRAM)**

DOCKET NO. 18-002-R

MOTION TO ADOPT AMENDMENTS TO REGULATION NO. 36

Comes now the Arkansas Department of Environmental Quality (ADEQ), by and through Janelle Evyan, Attorney Specialist, and for its Motion to Adopt Amendments to Regulation No. 36: Used Tire Recycling and Accountability Program, states:

1. On January 26, 2018, the Arkansas Pollution Control and Ecology Commission (APC&EC or Commission) granted ADEQ's Petition to Initiate Rulemaking to Permanently Amend Emergency Rulemaking for Regulation No. 36.

2. A public hearing was held at ADEQ Headquarters in North Little Rock, Arkansas, on February 27, 2018. There were no verbal comments made at the public hearing. The public comment period ended on March 15, 2018. ADEQ received twenty-three (23) written comments. ADEQ filed its Responsive Summary with the Commission on May 22, 2018.

3. The interim Senate Committee on Public Health, Welfare, and Labor and House Committee on Public Health, Welfare, and Labor met jointly and reviewed the amendments to Regulation No. 36 on July 2, 2018. A copy of the agenda from this meeting is attached as Exhibit A.

4. The Administrative Rules and Regulations Subcommittee of the Arkansas Legislative Council met, reviewed, and approved the amendments to Regulation No. 36 on July 17, 2018. A copy of the agenda and committee report is attached as Exhibit B.

5. ADEQ is filing its Statement of Basis and Purpose with the Commission as attached Exhibit C.

6. ADEQ submits the following additional documents in support adoption of the regulation to the Commission for its consideration:

- a. Exhibit D – Final Proposed Regulation
- b. Exhibit E – Regulation Tracking Sheet
- c. Exhibit F – Proposed Minute Order

WHEREFORE, ADEQ respectfully requests that the Commission grant this Motion to Adopt Amendments to Regulation No. 36; adopt the Proposed Minute Order concerning the amendments to Regulation No. 36; and promulgate the revised regulation.

Respectfully submitted,



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