

ARKANSAS DEPARTMENT OF
POLLUTION CONTROL AND ECOLOGY

MINUTE ORDER NO. 78-15

LOCATION - SUBJECT: OPEN CUT

MINING EXEMPTIONS REGULATIONS

PAGE 1 OF 1 PAGES

The following regulation is hereby adopted:

REGULATION LR 1 ESTABLISHING CERTAIN EXEMPTIONS
FROM THE PROVISIONS OF THE ARKANSAS OPEN CUT LAND
RECLAMATION ACT OF 1977.

WHEREAS, Act 824 of 1977 provides that the Commission may adopt and promulgate rules and regulations to exempt certain activities from the provisions of the Arkansas Open Cut Land Reclamation Act of 1977 (Act 336 of 1977) as set forth in Section 1 of this Regulation; and

WHEREAS, a public hearing was held on this matter on January 26, 1978, in the manner provided by law; and

WHEREAS, the Commission has determined that it is in the public interest to make such exemptions;

NOW, THEREFORE, the following Regulation is hereby adopted:

1. Pursuant to Act 824 of 1977, the non-commercial removal of sand, gravel, stone, shale or soil from the lands by the owner of the lands exclusively for use by such owner for construction, improvement or maintenance of roads on such lands or for making other improvements on such lands is hereby exempted from the provisions of the Arkansas Open Cut Land Reclamation Act of 1977 (Act 336 of 1977, as amended).
2. Nothing herein contained shall be construed as exempting any of the foregoing activities from the provisions of any other Act or Regulation applicable thereto.

PROMULGATED this 27th day of January 1978.

Attest:

Director, Dept. of Pollution Control and Ecology

COMMISSIONERS

JB
WAV
ACT 824
JP
By [Signature]
[Signature]

David Pryor, Governor
State of Arkansas

Ralph A. Dumas

Submitted by: Trusten Holder

Date Passed: 1/27/78