

On January 5, 1984, the Commission held a public hearing pursuant to notice properly given, to hear public comments on proposed amendments to the Arkansas Hazardous Waste Management Code. The amendments to Section 20(a)(3) and (4) were prepared at EPA's request to allow the Arkansas Department of Pollution Control and Ecology to receive final authorization to operate a hazardous waste management program in Arkansas in lieu of the federal government.

The changes proposed today do not alter the intent of Section 20 which makes the authorization agreement between the Arkansas Department of Pollution Control and Ecology and EPA the one and only interstate agreement to be entered into pursuant to Act 1098.

No comments were received from the general public although several questions were asked by the media. The staff therefore recommends and the Commission hereby approves the adoption of the attached amendments.

The Commission hereby orders that the amendments adopted on this date shall be in full force and effect beginning January 27, 1984.

COMMISSIONERS

[Handwritten signatures of commissioners over a series of horizontal lines]

Lyle Boyles
CHAIRMAN

SUBMITTED BY: Sandra Perry DATE PASSED: 1-27-84

Section 20(a) 3. and 4. to be revised to read as follows:

"3. Pursuant to the final authorization of ADPC&E to operate the federal hazardous waste management program in Arkansas in accordance with the Federal Resource Conservation and Recovery Act (RCRA), ADPC&E will enforce the same restrictions on the transportation for disposal, and the disposal, of hazardous waste in Arkansas, as all other states receiving final authorization of their hazardous waste management programs in lieu of the federal government, are required by similar MOA's to enforce on waste transported and/or disposed of within their own respective boundaries.

4. Pursuant to the MOA and federal law and regulations, ADPC&E will operate the hazardous waste management program within the State of Arkansas in accordance with laws and regulations for the transportation of hazardous waste for disposal, and for disposal of hazardous waste, in a manner equivalent to, and as stringent as, the hazardous waste management programs operated by EPA in states which do not enter into similar MOA's."

PROMULGATED THIS 27TH DAY OF JANUARY 1984
BY ORDER OF THE COMMISSION ON POLLUTION CONTROL AND ECOLOGY

BY Clyde Broyles
Chairman

ATTEST:

Phyllis Garnett
Phyllis Garnett, Ph.D.
Director

APPROVED:

Bill Clinton
Bill Clinton, Governor
State of Arkansas