

ARKANSAS POLLUTION CONTROL
AND ECOLOGY COMMISSION

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LOCATION - SUBJECT Briar Gypsum
Request for Third Party Rulemaking
on Regulation No. 2;
Docket No. 94-060

MINUTE ORDER NO. 94- 75

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On June 24, 1994, the Arkansas Pollution Control and Ecology Commission ("Commission") adopted Minute Order No. 94-56. That Minute Order adopted a procedural schedule for considering a Petition to Initiate Third Party Rulemaking to Amend Regulation No. 2 filed by Briar Gypsum ("Briar").

The Regulations Committee, in consultation with the Commission Chairman, proposes that an additional public hearing be held at or near Nashville, Arkansas, to accept public comments on Briar's proposed amendments to Regulation No. 2. The additional public hearing requires that the procedural schedule set forth in Minute Order No. 94-56 be modified only with respect to the following dates:

1. In addition to the public hearing scheduled for August 24, 1994, to be held at the Department, a second public hearing will be held at 7:00 p.m. on October 13, 1994, at or near Nashville, Arkansas. The specific location of the public hearing will be determined by the Department's public affairs office. The Department shall publish notice of the hearing on or before August 27, 1994.

2. The period for receiving all written comments by the public, Briar and the Department shall conclude on October 27, 1994.

3. Briar and the Department shall each file, not later than November 23, 1994, a Statement of Basis and Purpose and a proposed Minute Order deciding this matter.

4. The Regulations Committee shall meet at 2:00 p.m. on December 1, 1994, at the Department to consider this matter.

5. The Commission will consider this matter at its meeting scheduled for December 2, 1994.

6. All filing requirements and procedures set forth in Minute Order No. 94-56 shall remain in effect except for the specific revisions in the dates set forth above.

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The Commission adopts, without modification, the revised procedural schedule set forth above.

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SUBMITTED BY: R. Young PASSED: August 26, 1994