

ARKANSAS POLLUTION CONTROL
AND ECOLOGY COMMISSION

LOCATION - SUBJECT Guide to
Commission Operations

MINUTE ORDER NO. 95-71

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On May 26, 1995, the Commission initiated rulemaking to amend Regulation No. 8, Administrative Procedures. The proposed amendments included the following: listing of agenda topics, development and mailing of the agenda, public comments, and appearances before the Commission. The Arkansas Department of Pollution Control and Ecology ("Department") and attorneys practicing before the Commission recommended excluding the above listed amendments from Regulation No. 8. Instead, the Department recommended that the Commission adopt as policy these procedures. Attached to this Minute Order as Exhibit "A" is a document entitled: "Guide to Commission Operations."

The Regulations Committee reviewed the comments concerning this matter. It concluded that instead of incorporating the proposed amendments into Regulation No. 8, the Commission should adopt the Department's recommendation. The Regulations Committee has recommended approval of a Minute Order that adopts the "Guide to Commission Operations."

The Commission finds that the "Guide to Commission Operations" informs the public about the Commission's agenda. It also explains the procedure for making public comments and appearing before the Commission. These guidelines will give the public specific information concerning areas for which there are no written procedures. The Commission further finds that these are informal procedures and not formal rules or regulations subject to a rulemaking proceeding. Based on above, the Commission adopts the "Guide to Commission Operations" in the form attached to this Minute Order.

The Commission further directs the Department to prepare and include the "Guide to Commission Operations" as a supplement to Regulation No. 8, Administrative Procedures. Regulation No. 8 contains formal procedures that members of the public must follow. It is, therefore, appropriate to include as a supplement to Regulation No. 8 the "Guide to Commission Operations." By including in Regulation No. 8 the "Guide to Commission Operations," all formal and informal Commission procedures will be located in one convenient document.

EXHIBIT "D"

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SUBMITTED BY: M. O'Malley PASSED: 09/29/95

Chairman

EXHIBIT "D"