

ARKANSAS POLLUTION CONTROL
AND ECOLOGY COMMISSION

LOCATION - SUBJECT Waiver of
Regulation No 23, Section 264,
Subsection CC, and Section 265,
Subsection CC.

MINUTE ORDER NO. 96- 019

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On December 1, 1995, the Arkansas Pollution Control and Ecology Commission ("Commission") adopted revisions to Regulation No. 23 (Hazardous Waste Management). These revisions included Section 264, Subsection CC and Section 265, Subsection CC which match the United States Environmental Protection Agency ("EPA") requirements promulgated in 40 C.F.R. Parts 264 and 265, Subparts CC on December 6, 1994. These subparts implement the processes and procedures to control the emissions of organic vapors from hazardous wastes which are treated, stored, or disposed of in containers, tanks, and surface impoundments. EPA intended for Subparts CC of 40 C.F.R. Parts 264 and 265 to become effective on June 6, 1995. However, EPA has postponed the implementation date of Subparts CC until June 6, 1996.

The Commission finds that the compliance with the requirements of Regulation No. 23, Sections 264 and 265, Subsections CC will cause undue or unreasonable hardship to those persons that are governed by the regulation. The Commission further finds that granting a waiver of the regulation will not cause substantially adverse environmental effects. Therefore, pursuant to the provisions of A.C.A. §8-7-211*, the Commission grants a waiver of up to one (1) year, or until EPA's final effective date of implementation for 40 C.F.R. Parts 264 and 265, Subparts CC, whichever comes first.

*See attached copy of A.C.A. §8-7-211.

COMMISSIONERS

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<u>J. Mobley</u>	J. Mobley		

R. Wilbourn → SUBMITTED BY: R. Wilbourn PASSED: Mar. 22, 1996
Chair