

ARKANSAS POLLUTION CONTROL
AND ECOLOGY COMMISSION

LOCATION - SUBJECT _____
Request Variance for
Hazardous Waste Transporter Permits
Docket No. 97-004-R

MINUTE ORDER NO. 97-²³

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WHEREAS the Arkansas General Assembly has, with the passage of the Transporter Burden Reduction Act of 1997 (Senate Bill 572) repealed the statutory requirement that the Arkansas Department of Pollution Control and Ecology issue a separate permit for transporters of hazardous wastes in addition to the permit required by the Arkansas Highway and Transportation Department; and whereas the Department has initiated the rulemaking process to amend Regulation No. 23 (Hazardous Waste Management) to implement the provisions of this Act, the Commission grants the following variance to the requirements of Regulation No. 23:

- 1) The provisions of Regulation No. 23 § 6(j) (Transporter Application Review Fees) are suspended.
- 2) The provisions of Regulation No. 23 § 263.13(a) are suspended with respect to the requirement to obtain a permit from the Department of Pollution Control and Ecology. Transporters must continue to obtain and maintain such permits as the Arkansas Highway and Transportation Department may require.
- 3) The requirement of Regulation No. 23 § 263.13(b) (requiring transporters to carry a copy of the AHTD permit in their vehicle) remains in effect.
- 4) The requirements of Regulation No. 23 § 263.13(c) (Reapplications for ADPC&E permits) are suspended.
- 5) The requirements of Regulation No. 23 § 270.8 (Transporter Permits) are suspended.

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This variance shall remain in effect until the effective date of an amendment to Regulation No. 23 which implements the provisions of the Transporter Burden Reduction Act of 1997 (Senate Bill 572) or April 18, 1998, whichever occurs first.

COMMISSIONERS

<u>WMB</u>	B. Bush
<u>AC</u>	A. Carter
<u>B. Davis</u>	B. Davis
<u>D. Hanby</u>	D. Hanby
<u>J. Hill</u>	J. Hill
<u>J. Mobley</u>	J. Mobley
<u>J. Pascale</u>	J. Pascale

<u>TS</u>	T. Schueck
<u>JTS</u>	J. Shannon
<u>NW</u>	H. Watkins
<u>ABSENT</u>	R. Wilbourn
<u>W</u>	W. Wright
<u>ABSENT</u>	R. Young

Julia P. Mobley
Chair

SUBMITTED BY: M. Bates

PASSED: APRIL 18, 1997