

NOTICE OF PUBLIC HEARINGS

The Arkansas Pollution Control and Ecology Commission will hold public hearings at Little Rock November 7, 2005, to receive comments on proposed changes to Commission Regulation Nos. 11 and 14, which both deal with components of the Arkansas solid waste management program.

The Regulation 11 hearing will begin at 2:00 p.m. in the Arkansas Department of Environmental Quality (ADEQ) Building D Training Room, 8101 Interstate Highway 30. The hearing on Regulation 14 will begin immediately after all comments on Regulation 11 have been submitted.

The Commission's authority for amending Regulation No. 11 is found in the Arkansas Code Annotated (A.C.A.), section 8-6-601, et seq.; A.C.A. section 8-6-701, et seq.; and A.C.A. section 8-6-1001, et seq. Authority for amending Regulation No. 14 is found in Arkansas Code Annotated Section 8-9-401, et seq.

Regulation 11 deals with solid waste disposal fees, the Arkansas Landfill Post-Closure Trust Fund, and the state recycling grants program. The proposed changes to the regulation incorporate provisions of Act 1325 of the 2005 session of the Arkansas General Assembly, which eliminates the use of recycling grant funds for use in recycling marketing development programs.

Regulation 14 governs the Arkansas Waste Tire Program. Proposed changes to the regulation would incorporate provisions of Acts 961, 1822, and 1951 of the 2005 General Assembly session. The major proposed changes involve:

- An increase in the number of waste tires from 500 to 1,000 which could be accumulated at any facility involved in waste tire collection or processing before the facility would be required to obtain a permit from the ADEQ. (Chapter 3)
- A change in the method for distribution of truck tire fees. (Chapter 5)
- A provision to allow ADEQ to consider case-by-case approval for use of suitable processed waste tire materials in the construction of daily and intermediate cover at permitted landfills. (Chapter 6)
- Elimination of the authorization for waste tire sites to operate in conjunction with a permitted waste tire processing facility or permitted waste tire collection center. (Chapter 7)
- Elimination of language authorizing disposal of waste tires at a waste tire site which is part of a permitted waste tire facility. (Chapter 7)
- Addition of a reference to Commission Regulation 22, Section 501, et seq., to the requirements in Regulation 14 for design, construction, and operation of waste tire monofill operations. (Chapter 7)
- Establishment of August 12, 2008, as the effective date for certain monofill disposition requirements, and clarification of monofill requirements. (Chapter 7)
- Establishment of a requirement that all waste tire sites be closed within 12 months of the effective date of the proposed Regulation 14 revisions. (Chapter 8)

- Addition of an exemption and reference for permitting exemption for certain waste tire collection centers as defined in Regulation 14, Chapter 301. (Chapter 10)
- Elimination of a reference to Commission Regulation 9 in regard to permit fees for waste tire processing facilities. (Chapter 12)

Copies of the proposed changes to both regulations are available for public inspection during regular business hours at the ADEQ's Little Rock office in the Public Outreach and Assistance Division, located in Building D, 8101 Interstate 30, or ADEQ information depositories located in public libraries at Arkadelphia, Batesville, Blytheville, Camden, Clinton, Crossett, El Dorado, Fayetteville, Forrest City, Fort Smith, Harrison, Helena, Hope, Hot Springs, Jonesboro, Little Rock, Magnolia, Mena, Monticello, Mountain Home, Pocahontas, Russellville, Searcy, Stuttgart, Texarkana, and West Memphis; in campus libraries at the University of Arkansas at Pine Bluff and the University of Central Arkansas at Conway; or in the Arkansas State Library located on the State Capitol grounds at Little Rock. In addition, a copy of each regulation showing the proposed changes is available for viewing or downloading at the ADEQ's Internet web site located at www.adeq.state.ar.us .

Oral and written comments will be accepted at the hearings, but written comments are preferred in the interests of accuracy. In addition, written and electronic mail comments on the proposed changes to both regulations will be considered if received no later than 4:30 p.m. November 22, 2005. Written comments should be mailed to Doug Szenher, Public Outreach and Division, Arkansas Department of Environmental Quality, P.O. Box 8913, Little Rock, AR 72219-8913. E-mail comments should be sent to: reg-comment@adeq.state.ar.us .

Published September 30, and October 1, and 2, 2005,

Marcus C. Devine, Director,
Arkansas Department of Environmental Quality