

# **Exhibit A:**

**Proposed Minute Order to Adopt  
Motion to Withdraw  
Petition to Initiate Rulemaking  
to Amend Regulation No. 11**

**ARKANSAS POLLUTION CONTROL  
AND ECOLOGY COMMISSION**

**SUBJECT: Petition to Initiate  
Rulemaking - Regulation No. 11**

**MINUTE ORDER NO. 16-\_\_\_\_\_**

**Docket No. 16-005-R**

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On August 12, 2016, the Arkansas Department of Environmental Quality (ADEQ) filed a Petition to Initiate Rulemaking to Amend Regulation No. 11: Regulations for Solid Waste Landfill Disposal Fees; Landfill Post-Closure Trust Fund; Solid Waste Management and Recycling Fund Distribution Programs. The Arkansas Pollution Control and Ecology Commission authorized initiation of the rulemaking by Minute Order 16-13, dated August 26, 2016.

The public notice and public comment of the regulatory amendments have been completed. However, the regulatory amendments have not yet been presented to the Public Health and Welfare Committees of Legislative Council or the Administrative Rules and Regulations Subcommittee of Legislative Council.

Due to pending legislation and anticipated changes to Arkansas law related to Regulation 11 during the 2017 Regular Session of the Arkansas General Assembly, ADEQ has determined that the pending regulatory amendments to Regulation 11 should be withdrawn.

In consideration of the Motion to Withdraw Petition to Initiate Rulemaking to Amend Regulation No. 11 and other items filed related to the proposed regulatory amendments, the Commission grants the Motion filed by the Arkansas Department of Environmental Quality. The rulemaking initiated by Minute Order 16-13 is withdrawn and the docket is closed.

**PROMULGATED THIS \_\_\_\_\_ DAY OF FEBRUARY 2017 BY ORDER OF THE  
ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION**

**BY: \_\_\_\_\_  
Swan "Rusty" Moss, Jr., Chairman**

**COMMISSIONERS:**

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**J. Bates  
L. Bengal  
J. Chamberlin  
J. Crow  
J. Fox  
C. Gardner**

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**M. Goggans  
A. Henry  
B. Holland  
R. Reynolds  
W. Stites  
B. White**

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**R. Moss, Chair**

**PASSED: \_\_\_\_\_/2017**

Submitted by: Lisa Thompson, General Counsel