

**BEFORE THE ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION**

**IN THE MATTER OF AMENDMENTS TO )  
REGULATION NO. 14, REGULATIONS AND ) DOCKET NO. 11 \_\_\_-R  
ADMINISTRATIVE PROCEDURES FOR )  
THE WASTE TIRE PROGRAM )**

**PETITION TO INITIATE RULEMAKING TO AMEND REGULATION  
NO. 14, REGULATIONS AND ADMINISTRATIVE  
PROCEDURES FOR THE WASTE TIRE PROGRAM**

The Arkansas Department of Environmental Quality (hereinafter “ADEQ” or “the Department”), for its Petition to Initiate Rulemaking to Amend Regulation No. 14: Regulations and Administrative Procedures for the Waste Tire Program, states:

1. ADEQ proposes to initiate this rulemaking to incorporate legislative changes, particularly Act 744 of 2011, which added a definition for wide-base tire or extra-wide single tire, as well as to update the definitions of automobile tire and truck tire to bring them current with industry standards. The Department proposes this rulemaking to make the provisions of Regulation No. 14 conform to the statutory language of the state act and to make minor stylistic revisions.

2. The proposed regulatory amendments precipitated by the above-referenced Act involve the following:

a. Changes to Chapter 2 to define “wide-base tire or extra-wide single tire”; redefine “automobile tire”; and redefine “truck tire”; and

b. Make minor stylistic changes throughout the regulation.


3. The Department is proposing to make several stylistic changes involving the following:

- a. Correction of a typographical error in the definition of “residuals” which references Chapter 13 instead of Chapter 14;
- b. Clarification of language in the definition of “quantity”; and
- c. Making several formatting changes that will bring the regulation consistent with the regulation formatting guidelines of the Commission.

4. Lorielle Gutting or Roger Lawrence from ADEQ will be available to answer questions concerning this proposed rulemaking. A red-lined version of the regulation showing the proposed changes is attached as Exhibit “A” and is hereby incorporated by reference. A copy of the Legislative Questionnaire is attached as Exhibit “B”, and a copy of the Financial Impact Statement for the proposed revision is attached as Exhibit “C”, both of which are incorporated by reference. An analysis copy of AEDC’s letter of review regarding applicability of Act 744 of 2011 is attached as Exhibit “D” and hereby incorporated by reference. A copy of the Economic Impact/Environmental Benefit Analysis is attached hereto as Exhibit “E” and is hereby incorporated by reference. A proposed minute order is attached as Exhibit “F” and is hereby incorporated by reference.

WHEREFORE, ADEQ requests that the Commission initiate the rulemaking process, adopt the proposed Minute Order, and adopt the proposed amendments to Regulation No. 14.

Respectfully Submitted,  
ARKANSAS DEPARTMENT OF  
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By:   
Lorielle Gutting