

BEFORE THE ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION

**IN THE MATTER OF AMENDMENTS TO)
REGULATION NO. 14, REGULATIONS AND)
ADMINISTRATIVE PROCEDURES FOR THE) DOCKET NO. 11-006-R
WASTE TIRE PROGRAM)**

**ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY'S
STATEMENT OF BASIS AND PURPOSE**

The Arkansas Pollution Control and Ecology Commission (the "Commission") is given the power and responsibility to promulgate rules and regulations. Under Ark. Code Ann. § 8-1-203(b)(1), the Commission is granted the power and responsibility to promulgate rules and regulations implementing the substantive statutes which are administered by the Arkansas Department of Environmental Quality (hereinafter "ADEQ").

This rulemaking was initiated 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. ADEQ proposed 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.

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.

ADEQ also proposed 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.

On November 11, 2011, ADEQ filed a Petition to Initiate Rulemaking to Amend Regulation No. 14 to incorporate these changes. At its regularly scheduled meeting on December 2, 2011, the Commission initiated this rulemaking on Regulation 14. A public hearing was held in Little Rock, Arkansas on March 7, 2012. The public comment period expired on March 21, 2012. No comments were received.

Regulation 14 and this rulemaking contain no technical standards which must be addressed pursuant to APC&EC Reg.8.815(A)(1)(ii).

These rules are in the public interest, and are necessary to insure compliance with both state and federal law.

Respectfully submitted,

ARKANSAS DEPARTMENT OF
ENVIRONMENTAL QUALITY
5301 Northshore Drive
North Little Rock, AR 72118

By: 
Lorielle Gutting
Attorney
(501) 682-0888
gutting@adeq.state.ar.us