

BEFORE THE ARKANSAS POLLUTION CONTROL AND ECOLOGY
COMMISSION

IN THE MATTER OF AMENDMENTS TO)
REGULATION NO. 27, LICENSING OF)
OPERATORS OF SOLID WASTE)
MANAGEMENT FACILITIES AND ILLEGAL) DOCKET NO. 05-009 R
DUMPS CONTROL OFFICERS)

STATEMENT OF BASIS AND PURPOSE
FOR REGULATION NO. 27, LICENSING OF OPERATORS OF SOLID WASTE
AND ILLEGAL DUMPS CONTROL OFFICERS

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" or "Department").

The Department proposed this rulemaking to make the provisions of Regulation 27 conform to the statutory language affected by Act 728 of 2005. The amendment also provides for changes in the names of the Department and the Commission to conform to Act 1154 of 1999 and changes in the license revocation language to conform with Act 750 of 1991. Typographical and formatting changes are also proposed.

The proposed regulatory amendments to Regulation No. 27 involve the following:

(A) Chapter 2 authorizes the Solid Waste Licensing Committee to:

- (1) Conduct inquiries and establish findings necessary to advise the Commission and the Department on irregularities encountered in the management of the licensing program;

(2) Conduct inquiries and establish facts necessary to advise the Commission and the Department on the actions of licensees;

(3) Recommend administrative sanctions, including, but not limited to, the suspension and revocation of licenses as necessary to promote the professional integrity of solid waste licensees; and

(4) Establish such administrative policies and guidelines as necessary to carry out the powers and duties of the Committee.

Prepared by:

A handwritten signature in black ink, reading "Elizabeth Anne Weinstein". The signature is written in a cursive style with a large initial "E".

ARKANSAS DEPARTMENT OF
ENVIRONMENTAL QUALITY