

BEFORE THE ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION

**IN THE MATTER OF PROMULGATION OF)
REGULATION NO. 12,)
STORAGE TANKS)**

DOCKET NO. 17-003-R

MOTION TO ADOPT AMENDMENTS TO REGULATION NO. 12

Comes now the Arkansas Department of Environmental Quality (ADEQ), by and through Janelle Evyan, Attorney Specialist, and for its Motion to Adopt Amendments to Regulation No. 12: Storage Tanks, states:

1. On July 28, 2017, the Arkansas Pollution Control and Ecology Commission (APC&EC or Commission) granted ADEQ's Petition to Initiate Rulemaking to Amend Regulation No. 12.

2. A public hearing was held at ADEQ Headquarters in North Little Rock, Arkansas, on September 6, 2017. The public comment period ended on September 20, 2017. ADEQ received thirteen (13) written or verbal comments during the public comment period. ADEQ filed with the Commission the Responsive Summary on January 22, 2018.

3. The interim Senate Committee on Public Health, Welfare, and Labor and House Committee on Public Health, Welfare, and Labor met jointly and reviewed the amendments to Regulation No. 12 on February 5, 2018. A copy of the agenda from this meeting is attached as Exhibit A.

4. The Administrative Rules and Regulations Subcommittee of the Arkansas Legislative Council met, reviewed, and approved the amendments to Regulation No. 12 on July 17, 2018. A copy of the agenda and committee report is attached as Exhibit B.

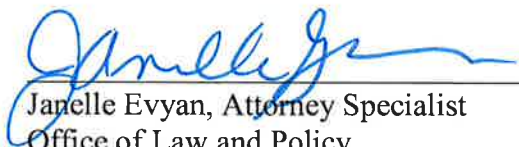
5. ADEQ is filing its Statement of Basis and Purpose with the Commission as attached Exhibit C.

6. ADEQ submits the following additional documents in support adoption of the regulation to the Commission for its consideration:

- a. Exhibit D – Final Proposed Regulation
- b. Exhibit E – Regulation Tracking Sheet
- c. Exhibit F – Proposed Minute Order

WHEREFORE, ADEQ respectfully requests that the Commission grant this Motion to Adopt Amendments to Regulation No. 12; adopt the Proposed Minute Order concerning the amendments to Regulation No. 12; and promulgate the revised regulation.

Respectfully submitted,



Janelle Evyan, Attorney Specialist
Office of Law and Policy
Arkansas Department of Environmental Quality
5301 Northshore Drive
North Little Rock, AR 72118
(501) 682-0888
evyan@adeq.state.ar.us