

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

**IN THE MATTER OF AMENDMENTS TO )  
REGULATION NO. 5: LIQUID ANIMAL ) DOCKET NO. 19-002-R  
WASTE MANAGEMENT SYSTEMS )**

**MOTION TO ADOPT AMENDMENTS TO REGULATION NO. 5**

Comes now, the Arkansas Department of Energy and Environment, Division of Environmental Quality (DEQ), by and through its attorney, Basil V. Hicks III, and for its Motion to Adopt Amendments to Regulation No. 5, states:

1. On July 26, 2019, the Arkansas Pollution Control and Ecology Commission (APC&EC) granted DEQ's Petition to Initiate Rulemaking to Amend Regulation No. 5.
2. Public notice of the proposed rulemaking for Regulation No. 5 was published statewide on August 3 and 4, 2019, in the Arkansas Democrat-Gazette. Publication of that notice began the public comment period, and a public hearing was held on August 23, 2019, to receive comments on the proposed rule changes to Regulation No. 5. The public comment period closed on September 22, 2019.
3. The APC&EC, at its regularly scheduled meeting on October 24, 2019, unanimously passed a motion to reopen the public comment period for Rulemaking Docket 19-002-R and provided an additional 90 days, from October 24, 2019, until January 22, 2020, for submission of additional comments by the public.
4. Pursuant to APC&EC Reg. 8.808, DEQ submits the following documents supporting adoption of the regulation to the Commission for its consideration:
  - a. Exhibit A – Statement of Basis and Purpose

- b. Exhibit B – Responsive Summary
- c. Exhibit C – Final Proposed Rule
- d. Exhibit D – Rule Tracking Sheet
- e. Exhibit E – Proposed Minute Order

WHEREFORE, DEQ prays that the APC&EC adopt the Proposed Minute Order adopting the amendments to Regulation No. 5.

Respectfully Submitted,

By: 

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