

BEFORE THE ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION

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

**PETITION TO INITIATE RULEMAKING TO AMEND
REGULATION NO. 5: LIQUID ANIMAL WASTE MANAGEMENT SYSTEMS**

Comes now, the Division of Environmental Quality¹ (DEQ or the “Division”), by and through its attorney, Basil V. Hicks III, and for its Petition to Initiate Rulemaking to Amend Regulation No. 5: Liquid Animal Waste Management Systems, states:

1. DEQ proposes to initiate this rulemaking to make permanent the moratorium on confined animal operations of a certain size in the Buffalo National River Watershed in accordance with the Governor’s request; to incorporate statutory changes from Acts 910 and 315 of 2019 passed by the General Assembly that amend the name of DEQ and references to rules; and to make minor stylistic revisions.

2. Dr. Robert Blanz and Michael McAlister from DEQ will be available to answer questions concerning this proposed rulemaking.

3. The following exhibits to this petition are hereby incorporated by reference:
- a. Exhibit A: Mark-up version of the regulation showing the proposed changes
 - b. Exhibit B: Governor’s Approval
 - c. Exhibit C: Copy of the Legislative Questionnaire

¹ Pursuant to Act 910 of 2019, the Arkansas Transformation and Efficiencies Act, the former Arkansas Department of Environmental Quality is now the Division of Environmental Quality in the newly-created Department of Energy and Environment.

- d. Exhibit D: Copy of a Financial Impact Statement and Impact to Small Business
- e. Exhibit E: Copy of the Economic Impact/Environmental Benefit Analysis
- f. Exhibit F: Proposed Minute Order

WHEREFORE, ADEQ requests that the Commission initiate the rulemaking process, adopt the proposed Minute Order, and adopt the proposed amendments to Regulation No. 5.

Respectfully Submitted,

By: 

Basil V. Hicks III
Division of Environmental Quality
5301 Northshore Drive
North Little Rock, Arkansas 72218
(501) 682-0918
hicks@adeq.state.ar.us