

ARKANSAS POLLUTION CONTROL
AND ECOLOGY COMMISSION

SUBJECT: Regulation No. 9
Permit Fee Regulation
Emergency Rulemaking

DOCKET No. 02-009-R

MINUTE ORDER NO. 02 -*dle*

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On October 24, 2002, Commissioner Randy Young filed a Petition to Adopt an Emergency Rule to Amend Regulation No. 9, Permit Fees Regulation, and to Initiate Rulemaking. The Petition has been designated as Docket No. 02-009-R.

Having considered the Petition, the proposed amendments to Regulation No. 9, and other documents, the Arkansas Pollution Control and Ecology Commission finds as follows:

1. Tyson Foods, Inc. has terminated more than one hundred contracts that it has with the owners or operators of hog farms.

2. The termination of these contracts will have a detrimental financial impact on the owners and operators of these hog farms. As a result, the owners or operators may file for bankruptcy protection, may abandon their farms, or may not properly close their facility, all of which could lead to pollution of the waters of the state.

3. The Commission concludes that an imminent peril to the public health, safety, or welfare exists.

Therefore, the Commission adopts, as an emergency rule, an amendment to Regulation No. 9, as set forth in Section 9.402(D).

PROMULGATED THIS 25th DAY OF OCTOBER, 2002 BY ORDER OF THE
ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION

