

BEFORE THE ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION

**IN THE MATTER OF AMENDMENTS TO)
REGULATION NO. 9: FEE REGULATION)**

DOCKET NO. 16-006-R

MOTION TO ADOPT AMENDMENTS TO REGULATION NO. 9

Comes now the Arkansas Department of Environmental Quality (ADEQ), by and through Caleb Osborne, Associate Director for the Office of Water Quality, and for its Motion to Adopt Amendments to Regulation No. 9, states:

1. On September 23, 2016, the Arkansas Pollution Control and Ecology Commission (APC&EC or Commission) granted ADEQ's Petition to Initiate Rulemaking to Amend Regulation No. 9.

2. A public hearing was held at ADEQ Headquarters in North Little Rock, Arkansas, on October 21, 2016. The public comment period ended on November 4, 2016. There were no oral comments at the public hearing. Written comments were received during the public comment period, and ADEQ filed the Response to Public Comments on July 13, 2017. This filing also included a filing with the Commission of a Revised Draft Regulation 9 Markup that includes changes in response to public comment. A signed Response to Public Comments is attached as Exhibit A.

3. The interim Senate Committee on Public Health, Welfare, and Labor and House Committee on Public Health, Welfare, and Labor met jointly and approved the amendments to Regulation No. 9 on August 14, 2017. A copy of the agenda from this meeting is attached as Exhibit B.

4. The Administrative Rules and Regulations Subcommittee of the Arkansas Legislative Council met and approved the amendments to Regulation No. 9 on August 15, 2017. A copy of the agenda and committee report is attached as Exhibit C.

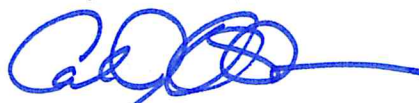
5. ADEQ is filing its Statement of Basis and Purpose with the Commission as attached Exhibit D.

6. Pursuant to APC&EC Reg.8.814, ADEQ submits the following additional documents to support adoption of the regulation to the Commission for its consideration:

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

WHEREFORE, ADEQ respectfully requests that the Commission adopt the Proposed Minute Order to adopt the amendments to Regulation No. 9.

Respectfully submitted,



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