

BEFORE THE ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION

IN THE MATTER OF AMENDMENTS TO     )  
REGULATION NO. 11, SOLID WASTE         )  
MANAGEMENT FEES, FUNDS AND GRANTS     )

Docket No. 05-007-R

PETITION TO INITIATE RULEMAKING TO AMEND REGULATION NO. 11,  
SOLID WASTE DISPOSAL FEES; LANDFILL POST-CLOSURE TRUST FUND; AND RECYCLING  
GRANTS PROGRAM

The Arkansas Department of Environmental Quality (hereinafter "ADEQ" or "the Department"), for its Petition to Initiate Rulemaking to Amend Regulation No. 11, Regulations for Solid Waste Disposal Fees; Landfill Post-Closure Trust Fund; and Recycling Grants Program.

1. This regulation is being amended to incorporate Act 1325 of 2005.
2. The proposed amendment to Regulation 11 eliminates the use of grant assistance monies from the solid waste management and recycling fund for recycling market development programs.
3. The amendments to this regulation will have no financial impact on small businesses.
4. Anne Weinstein and/or Steve Martin from ADEQ will be available to answer questions concerning this proposed rulemaking. A red-lined version of the regulation showing the proposed changes is attached as Exhibit "A" and is hereby incorporated by reference. A copy of the Legislative Questionnaire is attached as Exhibit "B", a copy of a financial impact statement for the proposed revision is attached as Exhibit "C", and a copy of the Economic Impact/Environmental Benefit Analysis is attached as Exhibit "D", all both of which are hereby incorporated by reference. A proposed minute order is attached as Exhibit "E" and is hereby incorporated by reference.

WHEREFORE, ADEQ requests that the Arkansas Pollution Control and Ecology Commission initiate the rulemaking process, adopt the proposed Minute Order, and adopt the proposed amendment to Regulation No. 11.

Respectfully Submitted,

ARKANSAS DEPARTMENT OF  
ENVIRONMENTAL QUALITY  
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By: Anne Weinstein