

NOTICE OF PUBLIC HEARING

The Arkansas Pollution Control and Ecology Commission (APC&EC) will hold a public hearing at North Little Rock September 5, 2012, to receive public comments on proposed revisions to Commission Regulation 11 (Solid Waste Disposal Fees; Landfill Post-Closure Trust Fund; and Recycling Grants Program). The hearing will begin at 2:00 p.m. in the Commission Room at the Arkansas Department of Environmental Quality (ADEQ) headquarters building, 5301 Northshore Drive, North Little Rock.

The deadline for submitting written comments on the proposed Regulation 11 changes is October 5, 2012.

In the event of inclement weather or other unforeseen circumstances, a decision may be made to postpone the hearing. If the hearing is postponed and rescheduled, a new legal notice will be published to announce the details of the new hearing date and comment period.

The Commission's authority for amending Regulation No. 11 is found in Arkansas Code Annotated, Section 8-6-201, et seq.

Proposed changes to Regulation 11 include:

- Addition of an extensive new chapter dealing with electronic waste (E-waste) recycling.
- Inclusion of a provision that once the balance in the state Landfill Post-Closure Trust Fund (LPCTF) reaches \$25,000,000, fees collected for the trust fund will instead go into an account to fund the E-waste program.
- Clarifying language involving the designation of a "closed disposal site" to be eligible for remedial activities using LPCTF money.
- New language to exempt from normal landfill disposal fees any wastes collected by campaigns sponsored by Keep Arkansas Beautiful.
- Clarification of criteria involving eligibility of administrative expenses by Regional Solid Waste Management Districts (RSWMDs).
- Addition of language to encourage waste reduction activities and stimulate demand for products made from recyclable materials, as well as adding initiatives involving recycling programs, waste reduction activities, and recycling system activities to the list of projects eligible for grant awards.
- New language regarding requirements for the use of all equipment purchased using recycling grant funds by RSWMDs.
- Clarification of the schedule for the annual recycling grants round administered by the ADEQ.
- New record-keeping and auditing requirements for grant recipients.
- Clarification of provisions which could require the reimbursement of grant funds by recipients if grant conditions are not met.
- Revised language regarding requirements that grant applicants must publish legal notices concerning grant applications that allow time for public comments on the proposals.
- Clarification of a number of definitions in the regulation; correction of typographical errors; and various language style changes.

Copies of the proposed changes are available for public inspection during regular business hours at the ADEQ office in the Public Outreach and Assistance (POA) Division, or at ADEQ information depositories located in public libraries at Arkadelphia, Batesville, Blytheville, Camden, Clinton, Crossett, El Dorado, Fayetteville, Forrest City, Fort Smith, Harrison, Helena, Hope, Hot Springs, Jonesboro, Little Rock, Magnolia, Mena, Monticello, Mountain Home, Pocahontas, Russellville, Searcy, Stuttgart, Texarkana, and West Memphis; in campus libraries at the University of Arkansas at Pine Bluff and the University of Central Arkansas at Conway; or in the Arkansas State Library, 900 West Capitol, Suite 100, in Little Rock. In addition, a copy of the regulation showing the proposed changes, along with related support documents, is available for viewing or downloading at the ADEQ web site located at www.adeq.state.ar.us.

Oral and written comments will be accepted at the hearing, but written comments are preferred in the interest of accuracy. In addition, written and electronic mail comments will be considered if received no later than 4:30 p.m. October 5, 2012. Written comments should be mailed to Doug Szenher, POA Division, Arkansas Department of Environmental Quality, 5301 Northshore Drive, North Little Rock, AR 72118. E-mail comments should be sent to: reg-comment@adeq.state.ar.us.

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