

BEFORE THE ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION

**IN THE MATTER OF AMENDMENTS TO)
REGULATION NO. 11: REGULATIONS FOR) DOCKET NO. 12___-R
SOLID WASTE DISPOSAL FEES;)
LANDFILL POST-CLOSURE TRUST FUND;)
AND RECYCLING GRANTS PROGRAM)**

**PETITION TO INITIATE RULEMAKING TO AMEND
REGULATION NO.11: REGULATIONS FOR 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, states:

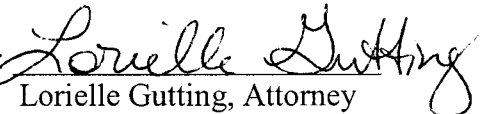
1. ADEQ proposes to initiate this rulemaking to incorporate statutory changes passed by the General Assembly that amend various provisions of the Solid Waste Management and Recycling Fund Act, Ark. Code Ann. § 8-6-601 *et seq.*, particularly Act 602 and Act 819 of 2011, Act 189 of 2009, and Act 1325 of 2005; to establish regulations for the Computer and Electronic Equipment Recycling and Grant Program; to clarify provisions of the Landfill Post-Closure Trust Fund; to clarify the recycling grant program timelines and obligations contained in Ark. Code Ann. § 8-6-609; and to make minor stylistic revisions.

2. Lorie Gutting and Roger Lawrence 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”, and a copy of a financial impact statement for the proposed revision is attached as Exhibit “C”, both of

which are incorporated by reference. An analysis of the impact to small businesses required pursuant to Ark. Code Ann. § 25-15-302 is attached as Exhibit "D" and hereby incorporated by reference. A copy of the Economic Impact/Environmental Benefit Analysis is attached hereto as Exhibit "E" and is hereby incorporated by reference. A proposed minute order is attached as Exhibit "F" and is hereby incorporated by reference.

WHEREFORE, ADEQ requests that the Commission initiate the rulemaking process, adopt the proposed Minute Order, and adopt the proposed amendments to Regulation No. 11.

Respectfully Submitted,

By: 
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