

Exhibit A

Statement of Basis and Purpose

BEFORE THE ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION

**IN THE MATTER OF AMENDMENTS TO)
REGULATION NO. 11)**

DOCKET NO. 13-011-R

**ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY'S
STATEMENT OF BASIS AND PURPOSE**

The Arkansas Pollution Control and Ecology Commission (the "Commission") is given the power and responsibility to promulgate rules and regulations. Under Ark. Code Ann. § 8-1-203(b)(1), the Commission is granted the power and responsibility to promulgate rules and regulations implementing the substantive statutes which are administered by the Arkansas Department of Environmental Quality (hereinafter "ADEQ").

This rulemaking was initiated to incorporate legislative changes, particularly Act 1333 of 2013, which eliminated the Recycling Grants Program and established a solid waste recycling fund distribution system; and Act 819 of 2011, which changed provisions for management of Recycling Grants. ADEQ proposed this rulemaking to make the provisions of Regulation No. 11 conform to the statutory language of the state acts and to make minor stylistic revisions.

The proposed regulatory amendments precipitated by the above-referenced Acts involve the following:

- a. Changes to Chapter 4 to add the Recycling Fund Distribution Program and clarify requirements for funds previously disbursed under the Recycling Grants Program;
- b. Changes to Chapter 5 to clarify the name of the grant program and remove references to sections of Arkansas Code repealed by Act 1333; and
- c. Several stylistic/formatting changes that will bring the regulation consistent with the regulation formatting guidelines of the Commission.

On November 21, 2013, ADEQ filed a Petition to Initiate Rulemaking to Amend Regulation No. 11 to incorporate these changes. At its regularly scheduled meeting on January 24, 2014, the Commission initiated this rulemaking on Regulation 11. A public hearing was held in North Little Rock, Arkansas on March 27, 2014. The public comment period expired on April 10, 2014. No comments were received.

Regulation 11 and this rulemaking contain no technical standards which must be addressed pursuant to APC&EC Reg.8.815(A)(1)(ii).

These rules are in the public interest, and are necessary to ensure compliance with both state and federal law.

Respectfully submitted,

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