

**BEFORE THE ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION**

**IN THE MATTER OF AMENDMENTS TO            )  
REGULATION NO. 11: REGULATIONS FOR    )       DOCKET NO. 13\_\_\_\_-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:

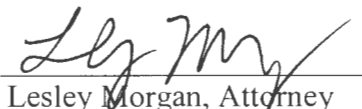
1. ADEQ proposes to initiate this rulemaking to incorporate statutory changes passed by the General Assembly that amend various provisions of the Solid Waste Management and Recycling Fund Act, Ark. Code Ann. § 8-6-601 *et seq.*, particularly Act 1333 of 2013 and Act 819 of 2011; to eliminate the Recycling Grants Program and provide for the management of previous distributions of grant funds; to establish the Solid Waste Recycling Fund Distribution program; to clarify provisions of the Computer and Electronic Waste Recycling Grant Program; and to make minor stylistic revisions.

2. Lesley Morgan and Benjamin Jones from ADEQ will be available to answer questions concerning this proposed rulemaking. A markup 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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