

EXHIBIT A

STATEMENT OF BASIS AND PURPOSE AND RESPONSIVENESS SUMMARY

BEFORE THE ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION

**IN THE MATTER OF AMENDMENTS TO)
REGULATION NO. 13, LABORATORY)
CERTIFICATION FEES REGULATION**

DOCKET NO. 05-014-R

**STATEMENT OF BASIS AND PURPOSE AND RESPONSIVENESS SUMMARY FOR
REGULATION NO. 13, LABORATORY CERTIFICATION FEES REGULATION**

I. STATEMENT OF BASIS AND PURPOSE:

The Arkansas Pollution Control and Ecology Commission (the “Commission”) is given the power and responsibility to promulgate or repeal rules and regulations. Various statutes grant the Commission the power and responsibility to promulgate or repeal rules and regulations implementing the substantive statutes which are administered by the Arkansas Department of Environmental Quality (hereinafter “ADEQ” or “Department”). These statutes include, but are not limited to, Ark. Code Ann. Sections 8-1-106, 8-1-203, 8-2-204, 8-4-201, 8-4-202, 8-4-311, 8-4-409, 8-5-501, 8-6-207, 8-6-602, 8-6-610, 8-6-704, 8-6-905, 8-6-1201, 8-6-1204, 8-6-1401, 8-6-1402, 8-6-1904, 8-7-226, 8-7-506, 8-7-802, 8-7-903, 8-7-1304, 8-7-1310, 8-9-304, 8-9-403, 8-9-609, 8-10-301, 8-10-303, 8-10-304, 15-57-316, 15-58-202, 15-58-205, 15-58-503, and 15-58-508.

The Commission is given the power and responsibility to establish a system of reasonable fees for certification procedures. Under Ark. Code Ann. Section 8-2-204, the Commission is authorized to establish by regulation reasonable fees for the certification procedures and expenses of administering the State Environmental Laboratory Certification Program.

It was the purpose of this regulation to assess reasonable fees to establish and to administer the State Environmental Laboratory Certification Program Act (Act 876 of 1985, as amended, A.C.A. § 8-2-201 et seq.). However, upon repeal of this regulation, the provisions thereof shall be incorporated into APC&EC Regulation Number 9, Fees Regulation.

II. RESPONSIVENESS SUMMARY

The Arkansas Department of Environmental Quality received no comments during the public comment period.

Marcus C. Devine
ADEQ Director