

Mr. Doug Szenher, Planning Section Manager
Customer Service Division
Arkansas Department of Environmental Quality
P.O. Box 8913
Little Rock, Arkansas 72219

RE: Arkansas Pollution Control & Ecology Commission Draft Regulation 14

Dear Mr. Szenher:

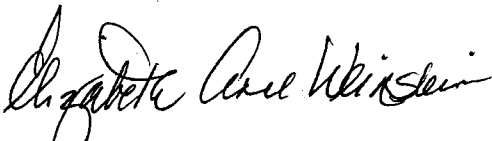
The purpose of this letter is to provide you with written comments made by the Solid Waste Management Division regarding proposed changes to the Arkansas Pollution Control and Ecology Commission Regulation 14.

Act 961 of 2005 amended Ark. Code Ann. § 8-9-403(c)(1). The statute prohibits the maintenance of a waste tire site by any person. ADEQ petitioned the Commission to initiate rule making on Regulation 14 for the purpose of making the regulation conform to Act 961 of 2005. ADEQ erred by giving persons a twelve (12) months grace period (from the effective date of the regulation) to close a waste tire site. The Act does not provide for a grace period.

Regulation 14, Section 803 should be corrected as shown by this mark-up to read as follows:

Waste tire sites that are not an integral part of a permitted waste tire processing facility, or collection center, shall close, ~~within twelve(12) months of the effective date of this regulations,~~ in compliance with the closure requirements specified in this regulation.

Sincerely yours,



Elizabeth Anne Weinstein