

NOTICE OF PUBLIC HEARING

The Arkansas Pollution Control and Ecology Commission will hold a public hearing at Little Rock January 23, 2001, to receive comments on proposed changes to Commission Regulation No. 15, which regulates open cut mining of non-coal materials in Arkansas. The hearing will begin at 2:00 p.m. in the Arkansas Department of Environmental Quality (ADEQ) Building D, 8101 Interstate 30, in southwest Little Rock.

Authority for adopting regulations under the non-coal mining program is found in Arkansas Statute 15-57-307. The proposed changes to Regulation No. 15 are designed to implement changes to the Arkansas Open-Cut Land Reclamation Act made by Act 1526 of 1999 and Act 550 of 2001 adopted by the Arkansas General Assembly.

Proposed revisions to the regulation include changes or additions to the definitions section; establishment of a tiered system for imposing penalties for regulation violations; additional permitting requirements for certain active soil and shale pits; revision of variance and interim authority powers to conform with other ADEQ division procedures; clarification of procedures involving the initiation of bond forfeiture actions; establishment of a simplified system for permit application, renewal, or modification fees; clarification of buffer zone requirements; addition of an operator performance standard regarding stockpiling marketable materials at mining sites; an increase in the size of proposed mining sites which would require a professional survey as part of the application process; and a requirement that mine entrances off public roads be identified by posting signs.

Copies of the proposed changes are available for public inspection at the ADEQ's Little Rock office in the agency's Customer Service Division in Building D, or at ADEQ information depositories located in public libraries at Arkadelphia, Batesville, Blytheville, Camden, Clinton, Crossett, El Dorado, Fayetteville, Forrest City, Fort Smith, Harrison, Helena, Hope, Hot Springs, Jonesboro, Little Rock, Magnolia, Mena, Monticello, Mountain Home, Pocahontas, Russellville, Searcy, Stuttgart, Texarkana, and West Memphis; in campus libraries at the University of Arkansas at Pine Bluff and the University of Central Arkansas at Conway; and in the Arkansas State Library located on the State Capitol grounds at Little Rock. In addition, copies of the proposal can be viewed and downloaded from the ADEQ's Internet web site at www.adeq.state.ar.us.

Oral and written statements will be accepted at the hearing, but written comments are preferred in the interests of accuracy. In addition, written comments will be accepted if submitted no later than 4:30 p.m. February 6, 2002, to Doug Szenher, Public Affairs Supervisor, Arkansas Department of Environmental Quality, P.O. Box 8913, Little Rock, AR 72219-8913. Comments by electronic mail also will be accepted if received by the 4:30 p.m. February 6, 2002, deadline. E-mail comments should be sent to reg-comment@adeq.state.ar.us.

Dated this 22nd day of December, 2001

**Richard A. Weiss, Interim Director
Arkansas Department of Environmental Quality**