

BEFORE THE ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION

IN THE MATTER OF PROMULGATION OF)
REGULATION NO. 15, ARKANSAS OPEN-CUT)
MINING AND RECLAMATION REGULATION)

DOCKET NO. 13-008-R

STATEMENT OF BASIS AND PURPOSE

On August 9, 2013, the Arkansas Department of Environmental Quality, (“ADEQ”) filed a Petition to Initiate Rulemaking to Promulgate Regulation No. 15, Arkansas Open-Cut Mining and Land Reclamation Regulation. This petition was granted on August 23, 2013 by the Commission’s Minute Order No. 13-28.

Pursuant to Minute Order 13-28, The Arkansas Department of Environmental Quality (“ADEQ” or “Department”) submits the following Statement of Basis and Purpose regarding proposed changes to Regulation No. 15, Arkansas Open-Cut Mining and Land Reclamation Regulation.

The primary purpose for the proposed changes to Regulation No. 15 is to incorporate changes to the Arkansas Water and Air Pollution Control Act (A.C.A. 8-4-101 *et seq.*) by Act 1021 of 2013. The changes can be found in Reg.15.310.

A new definition for “soil” was added to the regulation and a new chapter titled “Severability and Effective Date” was added. Other changes have been made as clarifications to make the regulation easier to read and understand.



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Chief

Surface Mining and Reclamation Division