

BEFORE THE ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION

IN THE MATTER OF AMENDMENTS TO )  
REGULATION NO. 20, ARKANSAS )  
SURFACE COAL MINING AND )  
RECLAMATION CODE )

DOCKET NO. 02- -R

PETITION TO INITIATE RULEMAKING TO AMEND REGULATION NO. 20,  
ARKANSAS SURFACE COAL MINING AND RECLAMATION CODE.

The Arkansas Department of Environmental Quality (hereinafter “ADEQ” or the Department”), for its Petition to Initiate RULEMAKING to Amend Regulation No. 20, Arkansas Surface Coal Mining and Reclamation Code, states:

1. Under the requirements of Public Law 95-87, the Department has control of the regulation of surface coal mining in the State of Arkansas. The Arkansas Surface Coal Mining and Reclamation Code must be as effective as, but no less stringent than the Federal Regulations issued by the Secretary of the Interior.
2. The Department has proposed to amend the Arkansas Surface Coal Mining and Reclamation Code in various sections. These changes have been required by the Office of Surface Mining U.S. Department of the Interior for the Arkansas regulations to remain as effective as the Federal regulations.
3. James F. Stephens, Chief of the Surface Mining and Reclamation Division, will be available to answer questions concerning this proposed rulemaking. A red-lined version of the regulation showing the proposed changes is attached as Exhibit “A” and is hereby incorporated by reference. A proposed minute order is attached as Exhibit “B” and is hereby incorporated by reference.

WHEREFORE, the ADEQ requests that the Commission initiate the rulemaking process, adopt the proposed Minute Order, and adopt the proposed amendments to Regulation No. 20.

Respectfully submitted,

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Environmental Quality  
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BY: James F. Stephens, P.G.  
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