

ADEQ REGULATIONS TRACKING SHEET

Regulation No. 21

Common Name: Arkansas Asbestos Abatement Regulation

1. **Strawman review** of draft regulations by key groups.

	<u>initiated</u>	<u>completed</u>	<u>incorporated</u>
EPA	<u>NA</u>	<u>NA</u>	<u>NA</u>
ADEQ Legal/Admin.	<u>1/13/2010</u>	<u>2/04/2010</u>	<u>2/04/2010</u>
Industrial/ Environmental Groups	<u>9/2007</u>	<u>1/21/2009</u>	<u>4/20/2010</u>

Comments: The revisions to the Arkansas Asbestos Abatement Regulation are the result of numerous stakeholder meetings and a rigorous public process. In addition to the public comment period and public hearing, stakeholder meetings occurred on: 9/13/2007; 9/24/2008; and 1/21/2009. Seminars to inform and educate the training public were prescribed by the Commission's Regulations Committee after the January 28, 2011, motion to adopt was initially presented to the Commission. These seminars occurred on: 3/28/2011; 3/30/2011.

2. Proposed regulations presentation to Commission's **Regulations Committee** for approval to proceed to public comment period.

Date: 02/26/2010 *By:* Mike Porta

Comments/Approval: Committee recommended adoption of Petition to initiate rulemaking.

3. **Legal notice** of proposed regulations and public hearing.

<u>publication</u>	<u>dates of publication</u>
<u>Arkansas Democrat-Gazette</u>	<u>3/03/2010 and 3/04/2010</u>

4. Provide **Legislative Council** with three copies of proposed regulations and the legislative questionnaire at least ten days prior to the first public hearing.

5. Hold **public hearing(s)** on the proposed regulations.

<u>location</u>	<u>date</u>	<u>hearing chairman</u>
<u>ADEQ Headquarters</u>	<u>April 6, 2010</u>	<u>Judge Michael O'Malley</u>

6. Date of final day of public comment period: April 20, 2010, 4:30 p.m.

7. **Final proposed regulation and response to comments** prepared by Department.

Date initiated: 4/24/2010 *Date completed:* 10/15/2010*

*(Based on feedback received during the additional seminars requested by the Commission's Regulations Committee, some of the responses to comments were clarified. No substantive changes were made to the response to comment document. No changes were made to the final rule with the exception of the effective date to coincide with the delay in final adoption.)

8. Formal presentation to the **Public Health & Welfare Committee** of the Legislative Council.

Date: 11/18/2010 *By:* Teresa Marks

Comments/Approval: Committee reviewed proposed rule.

9. Formal presentation of proposed final regulation to the **Administrative Rules & Regulations Subcommittee** of the Legislative Council (All Regs).

Date: 11/15/2010 *By:* Teresa Marks

Comments/Approval: Committee reviewed proposed rule.

10.a. Presentation of proposed final regulation to Commission's **Regulations Committee**.

Date: 1/28/2011 *By:* Mike Bates

Comments/Approval: Committee decided to have the Arkansas Department of Environmental Quality schedule additional seminars to inform and educate the training public before recommending adoption of the rulemaking.

10.b. Presentation of proposed final regulation to Commission's **Regulations Committee**.

Date: 9/23/2011 *By:* Karen Bassett

Comments/Approval: Committee recommended adoption of final rulemaking.

11.a. Provide Commission members with copy of proposed final regulation prior to Commission meeting.

Date Delivered: 1/07/2011

11.b. Provide Commission members with copy of proposed final regulation prior to Commission meeting.

Date Delivered: 9/9/2011

12.a. Present proposed final regulation to the **Commission** for adoption.

Date: 1/28/2011 *By:* Mike Bates

Comments/Approval: Commission deferred action on Regulation 21 until after the seminars are held.

12.b. Present proposed final regulation to the **Commission** for adoption.

Date: 9/23/2011 *By:* Karen Bassett

Comments/Approval: Commission approved adoption of final rulemaking.

13. Send two copies of adopted regulation to **Secretary of State** (regulation becomes effective 10 days after filing).

Date mailed: Upon final promulgation of Regulation.

14. Formally submit adopted regulation to **EPA**.

Date mailed: Not required.

PREPARED BY:
ARKANSAS DEPARTMENT
OF ENVIRONMENTAL QUALITY

By: 
Mike Bates