

BEFORE THE ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION

IN THE MATTER OF AMENDMENTS TO)
REGULATION NO. 22, SOLID WASTE) DOCKET NO. 07- -R
MANAGEMENT RULES)

RESPONSIVE SUMMARY FOR
REGULATION NO. 22, SOLID WASTE MANAGEMENT RULES

On the 21st day of November, 2007, the Arkansas Department of Environmental Quality filed a Petition to Initiate Rulemaking to Amend Regulation 22, Solid Waste Management Rules. Written comments were submitted by Joe Ball, Executive Director of Upper Southwest Regional Solid Waste Management District. Mr. Ball stated the following “in section 1304(b) the words ‘but unpermitted’ should be deleted.

Commissioner Henderson conducted a public hearing on the 17th day of January 28, 2008, but no oral comments were made about the proposed rules.

Pursuant to A.C.A. § 8-4-202(d)(4)(C) and Regulation No. 8, Section 3.6.2(s), a responsive summary groups comments into similar categories and explains why the Arkansas Pollution Control and Ecology Commission (“Commission”) accepts or rejects the rationale for each category.

Conclusion:

Because only one comment was received, one category is sufficient. This comment addresses landfill post-closure clean up restrictions and is categorized as such. ADEQ concurs that the change proposed by Mr. Ball will clarify Regulation No. 22.1304. Further, the change conforms to Act 1281 of 2007 which requires the Arkansas Pollution Control and Ecology Commission to prioritize and authorize the expenditures of all funds in excess of \$50,000 per site from the Landfill Post-Closure Trust Fund for corrective action at landfills that were permitted and certified closed by ADEQ.

EXHIBIT B

Prepared by:
Arkansas Department of
Environmental Quality

By: _____
Anne Weinstein