

BEFORE THE ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION

**IN THE MATTER OF APC&EC 8 CAR pt. 60)
“SOLID WASTE MANAGEMENT RULES”)**

DOCKET NO. 25-001-R

**PETITION TO INITIATE RULEMAKING TO APPROVE
AMENDMENTS TO 8 CAR pt. 60, “SOLID WASTE MANAGEMENT RULES”**

Comes now, the Department of Energy and Environment, Division of Environmental Quality (“DEQ”), by and through Michael McAlister, Deputy Chief Counsel of the Department of Energy and Environment, and for its Petition to Initiate Rulemaking to Approve Amendments to 8 CAR pt. 60, “Solid Waste Management Rules,” states:

1. DEQ proposes this rulemaking to approve the amendments to 8 CAR pt. 60, “Solid Waste Management Rules,” as is authorized generally in Ark. Code Ann. § 8-1-203(b)(1)(A), and specifically to amend this rule in Ark. Code Ann. § 8-6-207(b).

2. DEQ proposes to initiate this rulemaking so that the Arkansas Pollution Control and Ecology Commission (“Commission”) can promulgate the rule amendments, which will update the following provisions of the rule to conform to Act 791 of 2025, Section 39:

a. 8 CAR § 60-1304, “Landfill post-closure cleanup restrictions,” is amended to increase the amount of the expenditure threshold from \$50,000 to \$2,000,000 to make the section consistent with Act 791 of 2025, Section 39; and

b. 8 CAR § 60-1304 is further amended to make the language consistent with Act 791 of 2025.

3. Michael McAlister, Deputy Chief Counsel of the Department of Energy and Environment, will be available to answer questions concerning this proposed rulemaking.

4. The following exhibits to this petition are hereby incorporated by reference:

- a. Exhibit A: Mark-up draft of the proposed amended rule;
- b. Exhibit B: Governor’s approval;
- c. Exhibit C: Legislative Questionnaire;

- d. Exhibit D: Financial Impact Statement;
- e. Exhibit E: Economic Impact/Environmental Benefit Analysis; and
- f. Exhibit F: Proposed Minute Order.

WHEREFORE, DEQ requests that the Commission initiate the rulemaking process, adopt the proposed Minute Order, and initiate rulemaking to promulgate the proposed amendments to 8 CAR pt. 60, "Solid Waste Management Rules."

Respectfully Submitted,

By: 

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