

**BEFORE THE ARKANSAS POLLUTION CONTROL AND ECOLOGY
COMMISSION**

**IN THE MATTER OF PROMULGATION OF)
REGULATION NO. 23)**

DOCKET NO. 15-001-R

MOTION TO ADOPT AMENDMENTS TO REGULATION NO. 23

Comes now the Arkansas Department of Environmental Quality (“ADEQ” or “Department”), by and through the Chief of the Hazardous Waste Division, Tammie J. Hynum, and for its Motion to Adopt Amendments to Regulation No. 23, states:

1. On May 21, 2015, the Arkansas Pollution Control and Ecology Commission (hereinafter “APC&EC” or “Commission”) granted ADEQ’s Petition to Initiate Rulemaking to Amend Regulation No. 23.
2. Oral comments were received during the May 21, 2015, meeting of the APC&EC Regulations Committee to initiate rulemaking procedures from Dr. Wesley Stites, APC&EC Commissioner, Regulations Committee. Dr. Stites noted that a page number in the Table of Contents, Section 270, Subsection C-Permit Conditions, Conditions applicable to all permits, was incorrect. In addition, Dr. Stites noted the chemical formula for Thallium chloride was incorrect. These items were corrected and a revised Mark-up Draft of the regulation was submitted to the Commission.
3. A public hearing was held at ADEQ Headquarters in North Little Rock, Arkansas on June 29, 2015. The public comment period ended on July 14, 2015. Two written comments were submitted.
4. The written comments were received via e-mail on June 24, 2015, from Jessica Franken, Director of Government Affairs, INDA, Association of the Nonwoven Fabrics Industry, and on June 30, 2015, from Jackie King, Executive Director, Secondary Materials and

Recycled Textiles Association (SMART). The letters were in support of the Department's proposal to adopt the Conditional Exclusions from Solid and Hazardous Waste for Solvent-Contaminated Wipes.

5. ADEQ filed its Responsive Summary before the Commission on July 23, 2015.
6. Pursuant to APC&EC Reg.8.814, ADEQ submits the following documents supporting adoption of the regulation to the Commission for its consideration:
 - a. Exhibit A – Statement of Basis and Purpose
 - b. Exhibit B – Responsive Summary
 - c. Exhibit C – Final Proposed Regulation
 - d. Exhibit D – Regulation Tracking Sheet
 - e. Exhibit E – Proposed Minute Order to Adopt

WHEREFORE, ADEQ prays that the Commission adopt the Proposed Minute Order adopting the amendments to Regulation No. 23.

Respectfully submitted,

A handwritten signature in black ink that reads "Tammie J. Hynum". The signature is written in a cursive, flowing style.

Tammie J. Hynum
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