

Exhibit A:

Statement of Basis and Purpose

BEFORE THE ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION

**IN THE MATTER OF AMENDMENTS TO)
REGULATION 23: HAZARDOUS WASTE) DOCKET NO. 20-003-R
MANAGEMENT)**

STATEMENT OF BASIS AND PURPOSE
OF THE DIVISION OF ENVIRONMENTAL QUALITY

The Arkansas Pollution Control and Ecology Commission is vested with general authority to make and amend rules in Ark. Code Ann. § 8-01-203(b)(1)(A), and is vested with specific authority to make and amend rules with regard to hazardous waste management in Ark. Code Ann. § 8-7-209(b)(1).

The purpose of the revisions to Regulation 23 is to implement federal rules regarding hazardous waste management contained in 40 C.F.R., Parts 260-279. The specific amendments encourage the recycling of hazardous waste and to improve oversight of recycling, while allowing certain flexibility. The amendments also revise hazardous waste generator regulations to make these requirements easier to understand and provide greater flexibility in regard to how hazardous waste is managed. The amendments also establish and incorporate the method that the Environmental Protection Agency will use to determine user fees for the electronic and paper manifests submitted to the national e-manifest system. The amendments further include and adopt regulations established by the Environmental Protection Agency governing imports and exports of hazardous waste, and certain other materials, to strengthen public accessibility to, and transparency of, import and export related documentation. The amendments also expand the current rules regarding Coal Combustion Residuals to include specific waste streams associated with combustion of coal or other fossil fuels. The amendments to Regulation 23 further

incorporate changes mandated by Act of March 5, 2019, No. 315 to change all references of “Regulation” to “Rule,” and changes in terminology to conform to the Transformation and Efficiencies Act of 2019, No. 910.

The amendments to Regulation 23 are necessary to serve the public interest and ensure compliance with state and federal law.

Respectfully Submitted,

By: 

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