

BEFORE THE ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION

**IN THE MATTER OF AMENDMENTS TO)
REGULATION NO. 27)**

DOCKET NO. 16-000-R

**ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY'S
STATEMENT OF BASIS AND PURPOSE**

The Arkansas Pollution Control and Ecology Commission (the "Commission") is given the power and responsibility to promulgate rules and regulations. Under Ark. Code Ann. § 8-1-203(b)(1), the Commission is granted the power and responsibility to promulgate rules and regulations implementing the substantive statutes which are administered by the Arkansas Department of Environmental Quality (hereinafter "ADEQ").

The Arkansas Department of Environmental Quality proposes this rulemaking before the Arkansas Pollution Control and Ecology Commission to create consistency between the language of Regulation 27 and Arkansas Code Annotated § 8-6-903 *et seq.* Regulation 27 establishes the training, classification, qualifications, and licensing of operators of solid waste management facilities and illegal dumps control officers. The Commission's authority for amending Regulation 27 is found in Arkansas Code Annotated § 8-6-905(a).

Proposed changes include:

1. To amend Reg.27.103 in the definition of "Recovered Materials" to replace "feasiblely" with "feasibly".
2. To amend Reg.27.201 to read, "(J) To establish such administrative policies as necessary to carry out the powers and duties of the Commission;"
3. To amend Reg.27.201 to read, "(K) To issue provisional certificates as established in Reg.27.608; "

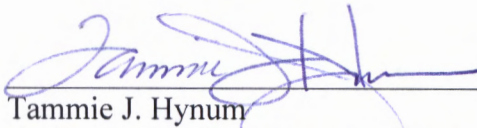
4. To amend Reg.27.201 to add, “(L) To allow the Director to grant a written waiver from the solid waste management facility licensing requirements of this regulation; and”
5. To amend Reg.27.201 to add, “(M) To allow the Director to withdraw a written waiver from the solid waste management facility licensing requirements for just cause by written notice to the county, municipality, governmental subdivision, public or private corporation, or other persons to whom the written waiver is being granted.”
6. To make minor stylistic and formatting corrections throughout the Regulation.

These rules are in the public interest, and are necessary to ensure compliance with both state and federal law.

Respectfully submitted,

ARKANSAS DEPARTMENT OF
ENVIRONMENTAL QUALITY
5301 Northshore Drive
North Little Rock, AR 72118

By:


Tammie J. Hynum
Acting Senior Operations Manager
Office of Land Resources
(501) 682-0831