

EXHIBIT B

RESPONSIVE SUMMARY

BEFORE THE ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION

**IN THE MATTER OF AMENDMENTS TO)
REGULATION No. 29)**

DOCKET NO. 14-005-R

**ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY
RESPONSIVE SUMMARY**

Pursuant to Arkansas Pollution Control and Ecology Commission (hereinafter “APC&EC” or “Commission”) Minute Order 14-26, the Arkansas Department of Environmental Quality (hereinafter “ADEQ” or the “Department”) submits the following Responsive Summary regarding proposed changes to APC&EC Regulation No. 29: Regulations for Arkansas Brownfields Redevelopment.

1. On August 22, 2014, the Commission granted ADEQ’s Petition to Initiate Rulemaking to Amend Regulation No. 29.

2. A public hearing was conducted Tuesday, September 30, 2014 in North Little Rock. The period for receiving all written comments concluded October 14, 2014.

3. One written comment was received from Mary M. Cameron, Bureau of Legislative Research. Ms. Cameron inquired as to why the connector “and” had been changed to “or” in Section 29.401(a) which outlines to whom Regulation No. 29 applies. However, in Ark. Code Ann. § 8-7-1104(a) from which the regulation was taken, the code uses “and”.

4. The Department acknowledged the comment of Ms. Cameron and the clerical error was corrected by reinstating the “and” connector and placing an “or” at the end of Reg.29.401(A)(3) in order to have consistent language between the statute and Regulation. A

revised Mark-Up Draft of Regulation 29 was provided to the Commission. This error occurred in the Mark-Up Draft only, therefore no changes to the initiated rulemaking are proposed.

Respectfully Submitted,

Arkansas Department of
Environmental Quality

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