

NOTICE OF PUBLIC HEARINGS

The Arkansas Pollution Control and Ecology Commission will hold public hearings at Little Rock December 13, 2005, to receive comments on proposed changes to Commission Regulation Nos. 22 and 27. Regulation No. 22 is the Arkansas Solid Waste Code, while Regulation No. 27 governs the licensing of operators of solid waste management facilities, and illegal dumps control officers.

Both hearings will be held in the Arkansas Department of Environmental Quality (ADEQ) Building G Commission Room, located within the Arkansas State Police Headquarters Building, No. 1 State Police Plaza. The Regulation No. 22 hearing will begin at 2:00 p.m., and the Regulation No. 27 hearing will start immediately after all comments on Regulation No. 22 have been received.

The Commission's authority for amending Regulation No. 22 is found in the Arkansas Code, Annotated, Section 8-6-201, et seq. Authority for amending Regulation No. 23 is found in the Arkansas Code, Annotated, Section 8-6-501 through 8-6-510; and Section 8-6-901 through 8-6-909. Proposed changes to both regulations have been developed in order to bring the documents into conformance with recent legislation adopted by the Arkansas General Assembly.

In addition to several minor clarifications of provisions, correction of typographical errors, and formatting changes, proposed revisions to Regulation No. 22 include:

- * Changes to provisions of the "host community" requirements for landfill siting.
- * Addition of a requirement for a certificate of need for solid waste transfer stations.
- * Addition of a requirement to include all unauthorized wastes received by solid waste facilities in the facility Hazardous Waste Exclusion Plan, and includes a new definition for unauthorized waste.
- * Clarification of requirements for the installation and use of scales at Class 1 and Class 3C landfills.
- * Clarification of a provision to require Class 3 monofills must meet the Regulation No. 22 requirements for Class 3 Non-commercial landfills, rather than Class 3 Commercial landfills.
- * Addition of language banning disposal of light bulbs containing mercury in Arkansas landfills after January 1, 2008.

Proposed changes to Regulation No. 27 also include minor clarifications, correction of typographical errors, and formatting changes. Substantive changes to Regulation No. 27 include:

- * Increased powers and duties for the Arkansas Solid Waste Licensing Committee, including the authority to conduct inquiries in order to develop findings for advising the Pollution Control and Ecology Commission and the ADEQ on any irregularities found in the solid waste licensing program, or with individual licensees, and authority to recommend proposed sanctions to the Commission and the ADEQ regarding possible suspension or revocation of solid waste operator licenses.

* Addition of language providing for the right of appeal of any licensee whose solid waste operator license may be suspended or revoked.

Copies of the proposed changes to both regulations are available for public inspection during regular business hours at the ADEQ's Little Rock office in the Customer Service Division, located in Building D, 8101 Interstate 30, or ADEQ information depositories located in public libraries at Arkadelphia, Batesville, Blytheville, Camden, Clinton, Crossett, El Dorado, Fayetteville, Forrest City, Fort Smith, Harrison, Helena, Hope, Hot Springs, Jonesboro, Little Rock, Magnolia, Mena, Monticello, Mountain Home, Pocahontas, Russellville, Searcy, Stuttgart, Texarkana, and West Memphis; in campus libraries at the University of Arkansas at Pine Bluff and the University of Central Arkansas at Conway; or in the Arkansas State Library located on the State Capitol grounds at Little Rock. In addition, a copy of the regulation showing the proposed changes is available for viewing or downloading at the ADEQ's Internet web site located at www.adeq.state.ar.us .

Oral and written comments will be accepted at the hearing, but written comments are preferred in the interests of accuracy. In addition, written and electronic mail comments will be considered if received no later than 4:30 p.m. December 29, 2005. Written comments should be mailed to Doug Szenher, Customer Service Division, Arkansas Department of Environmental Quality, P.O. Box 8913, Little Rock, AR 72219-8913. Electronic mail comments should be sent to: reg-comment@adeq.state.ar.us .

Individuals who plan to attend the hearings should arrive early and bring a driver's license or other form of photo identification in order to receive a visitor's pass to the State Police Building.

Published November 2, 3, and 4, 2005,

Marcus C. Devine, Director,
Arkansas Department of Environmental Quality