

NOTICE OF PROPOSED REGULATION CHANGE, PUBLIC HEARING

The Arkansas Pollution Control and Ecology Commission (APC&EC) will hold a public hearing at North Little Rock November 3, 2010, to receive comments on proposed revisions to APC&EC Regulation 23 (Hazardous Waste Code). The hearing will begin at 2:00 p.m. in the Commission Room at the Arkansas Department of Environmental Quality (ADEQ) headquarters building, 5301 Northshore Drive, North Little Rock, AR 72118. The deadline for submitting written comments on the regulation is 4:30 p.m. November 18, 2010.

In the event of inclement weather or other unforeseen circumstances, a decision may be made to postpone the hearing. If the hearing is postponed and rescheduled, a new legal notice will be published to announce the details of the new hearing date and comment period.

APC&EC authority for revising Regulation 23 is found in the Arkansas Code, Annotated, Section 8-7-201, et seq.

Proposed revisions to Regulation 23 include incorporation of recent changes of federal hazardous waste regulations which were published in the Federal Register between July 1, 2009, and August 31, 2010. Proposed changes include:

- Federal revisions to the requirements for shipping spent lead-acid batteries overseas or out-of-country for treatment or disposal, including some minor changes to the exception reporting requirements for hazardous waste import and export shipments.
- A new Federal rule to make a number of technical changes that correct existing errors in the hazardous waste regulations, such as typographical errors, incorrect or outdated citations, and omissions.
- Inclusion of action by the U.S. Environmental Protection Agency delisting specific waste produced at the Tokusen, Inc. plant in Conway, AR.
- An amendment to Section 264.1062(a) which removes a requirement to notify the ADEQ prior to implementing an alternative work practice under the Subpart BB rules.

A complete listing of the proposed changes to Regulation 23 can be found on the Drafts of Proposed Regulations page of the ADEQ's Internet web site at www.state.ar.us.

Copies of the proposed changes to Regulation 23 are available for public inspection during regular business hours at the ADEQ's Public Outreach and Assistance (POA) Division on the second floor of the ADEQ headquarters building, 5301 Northshore Drive, North Little Rock, AR 72118, or at 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, 900 West Capitol, Suite 100, Little Rock.

Oral and written comments will be accepted at the hearings, but written comments are preferred in the interest of accuracy. In addition, written and electronic mail comments will be considered if received no later than 4:30 p.m. November 18, 2010. Written comments should be delivered or mailed to: Doug Szenher, public information coordinator, POA Division, Arkansas Department of Environmental Quality, 5301 Northshore Drive, North Little Rock, AR 72118. Electronic mail comments should be sent to: reg-comment@adeq.state.ar.us.

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Arkansas Department of Environmental Quality