BEFORE THE ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION

IN THE MATTER OF AMENDMENTS TO
REGULATION NO. 14, REGULATIONS AND ADMINISTRATIVE PROCEDURES FOR
THE WASTE TIRE PROGRAM

) DOCKET NO. 11___-R

PETITION TO INITIATE RULEMAKING TO AMEND REGULATION NO. 14, REGULATIONS AND ADMINISTRATIVE PROCEDURES FOR THE WASTE TIRE PROGRAM

The Arkansas Department of Environmental Quality (hereinafter “ADEQ” or “the Department”), for its Petition to Initiate Rulemaking to Amend Regulation No. 14: Regulations and Administrative Procedures for the Waste Tire Program, states:

1. ADEQ proposes to initiate this rulemaking to incorporate legislative changes, particularly Act 744 of 2011, which added a definition for wide-base tire or extra-wide single tire, as well as to update the definitions of automobile tire and truck tire to bring them current with industry standards. The Department proposes this rulemaking to make the provisions of Regulation No. 14 conform to the statutory language of the state act and to make minor stylistic revisions.

2. The proposed regulatory amendments precipitated by the above-referenced Act involve the following:
   a. Changes to Chapter 2 to define “wide-base tire or extra-wide single tire”; redefine “automobile tire”; and redefine “truck tire”; and
   b. Make minor stylistic changes throughout the regulation.

3. The Department is proposing to make several stylistic changes involving the following:
a. Correction of a typographical error in the definition of “residuals” which
references Chapter 13 instead of Chapter 14;

b. Clarification of language in the definition of “quantity”; and

c. Making several formatting changes that will bring the regulation consistent
with the regulation formatting guidelines of the Commission.

4. Lorielle Gutting or Roger Lawrence from ADEQ will be available to answer
questions concerning this proposed rulemaking. A red-lined version of the regulation showing
the proposed changes is attached as Exhibit “A” and is hereby incorporated by reference. A
copy of the Legislative Questionnaire is attached as Exhibit “B”, and a copy of the Financial
Impact Statement for the proposed revision is attached as Exhibit “C”, both of which are
incorporated by reference. An analysis copy of AEDC’s letter of review regarding applicability
of Act 744 of 2011 is attached as Exhibit “D” and hereby incorporated by reference. A copy of
the Economic Impact/Environmental Benefit Analysis is attached hereto as Exhibit “E” and is
hereby incorporated by reference. A proposed minute order is attached as Exhibit “F” and is
hereby incorporated by reference.

WHEREFORE, ADEQ requests that the Commission initiate the rulemaking process,
adopt the proposed Minute Order, and adopt the proposed amendments to Regulation No. 14.

Respectfully Submitted,
ARKANSAS DEPARTMENT OF
ENVIRONMENTAL QUALITY
5301 Northshore Drive
North Little Rock, Arkansas 72118

By: [Signature]
Lorielle Gutting