

NOTICE OF EMERGENCY RULEMAKING

Pursuant to Arkansas Code Annotated, Section 8-4-202(e) and Arkansas Pollution Control and Ecology Commission Regulation No. 8.807(C), the Arkansas Pollution Control and Ecology Commission (APC&EC) made a formal finding on August 25, 2017, that an emergency rulemaking was necessary to prevent imminent peril to public health and general welfare concerning implementation and administration of the new Used Tire Recycling and Accountability Program mandated by Act 317 of the 2017 Regular Session of the Arkansas General Assembly. As a result, the APC&EC has adopted for 180 days on an emergency basis the new Regulation 36 (Used Tire Recycling and Accountability Program) that allows the Arkansas Department of Environmental Quality (ADEQ) to implement and administer the new program that begins on January 1, 2018.

The emergency Regulation 36 includes a general overview, purpose, legislative intent, authority, and applicability related to the Used Tire Recycling and Accountability Program; definitions related to the administration of the Used Tire Recycling and Accountability Program; electronic uniform used tire manifest system (e-manifest system) purpose and administration; used tire program accountability and business plans administration; administrative procedures for tire generators; collection of rim removal fees, commercial generator fees, and import fees and submission to the Department of Finance and Administration and the Arkansas Department of Environmental Quality; and disbursements from the Used Tire Recycling Fund. The emergency Regulation 36 can be found on the Draft Regulations page on ADEQ's website at www.adeq.state.ar.us/regs/draft_regs.aspx.

Copies of the emergency Regulation 36 are available for public inspection during regular business hours at 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.

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Becky W. Keogh, Director,
Arkansas Department of Environmental Quality