

Arkansas Pollution Control and Ecology Commission Regulation 16: Notice of Proposed Regulation Changes/Public Hearing



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The Arkansas Department of Environmental Quality issued a June 27 news release stating that the Arkansas Pollution Control and Ecology Commission (“APC&EC”) will hold a public hearing on July 31, addressing proposed revisions to APC&EC Regulation 16.109 (Regulations of State of Arkansas for Waste Reduction, Reuse or Recycling Tax Credits).

The hearing will be held at 2:00 in the Arkansas Department of Environmental Quality’s headquarters in North Little Rock, Arkansas.

Arkansas has for a number of years provided eligible facilities establishing or expanding processes that utilize recyclables a 30% tax credit on certain capital cost. Eligibility is dependent upon certain criteria such as utilization of certain percentages of solid waste and post-consumer waste.

ADEQ operated this program in conjunction with the Department of Finance and Administration. The Agency promulgated regulation 16 to implement the program.

Proposed revisions include:

- Adding a definition of qualified manufacturer of steel,
- Revising the definition of a waste reduction, reuse, or recycling equipment,
- Allowing the qualified steel manufacturer to carry forward unused tax credit amounts to subsequent years for a period of 14 years,
- Revisions to language throughout the regulation concerning the ability of the waste reduction, reuse, recycling income tax credit to qualified manufacturers of steel
- To conform to changes to state made by the Arkansas General Assembly (including Acts 692 and A62 of 2015)
- Minor revisions to include correcting typographical, grammatical, formatting and stylistic errors.

The deadline for submitting written comments on the regulation is 4:30 p.m. (CST) August 14th.

A copy of the News Release can be downloaded [here](#).