

BEFORE THE ARKANSAS POLLUTION CONTROL & ECOLOGY COMMISSION

IN THE MATTER OF:

**RIVER VALLEY REGIONAL WATER DISTRICT
2806 BRYAN ROAD, VAN BUREN, AR 72956
REQUEST TO INITIATE RULEMAKING
TO AMEND APCEC REGULATION NO. 2
SECTION 2.304**

NO. 06-003-R

**RIVER VALLEY REGIONAL WATER DISTRICT'S
MOTION TO INCORPORATE COMMENTS
INTO THE RECORD**

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AR. POLLUTION CONTROL
& ECOLOGY COMMISSION
FILED BY PLB

On November 23, 2005 River Valley Regional Water District filed a Petition to Initiate Third Party Rulemaking. Docket No. 05-013-R. That Petition was considered by the Commission at its December 9, 2005 meeting. A number of individuals made public comments in favor of, and in opposition to the Petition at that meeting. In addition, ADEQ and a group of environmental organizations filed written requests that the Petition be denied.

On January 13, 2006 River Valley requested permission to withdraw its original Petition and it simultaneously filed a new Petition that is identical in all material respects to the original one. By this motion, River Valley requests that the Commission incorporate the following items from the original rulemaking, Docket No. 05-013-R, into the record of the new rulemaking:

- A tape recording of the proceedings before the Commission Regulations Committee and the full Commission on December 9th which includes all oral statements for and against the original Petition;
- A copy of the Department's Request to Deny
- A copy of the environmental groups' Request to Deny
- A copy of River Valley's Request to Withdraw.

Incorporation of these materials from the prior proceeding into the record of the current proceeding will assure that all who participated in the prior proceeding will not be forced to duplicate their prior comments if they do not wish to do so; and it will avoid the possibility that the value of those comments might be lost from the record of the Commission's consideration of this matter.

Respectfully submitted,

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By 
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ATTORNEYS FOR RIVER VALLEY REGIONAL
WATER DISTRICT