



STATE OF ARKANSAS
**Department of Finance
and Administration**

OFFICE OF THE DIRECTOR
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November 3, 2010

Teresa Marks
Director
Arkansas Department of Environmental Quality
5301 Northshore Drive
North Little Rock, AR 72118-5317

Dear Ms. Marks,

Based on the information presented in your correspondence, dated October 19, 2010, the following determinations have been made:

Due to the required level of travel and the responsibilities assigned, a waiver under Sec. 5, Paragraph B, of Executive Order 10-14, regarding the status designation of Public Health, Safety and Welfare has been granted to the following position(s):

**Emergency Response Section Manager
Emergency Services Officer**

Additionally, a waiver under Sec. 4 of Executive Order 10-14 allowing the operation of a State vehicle without red Official Business Only license plates or official seal has been granted for the vehicle(s) assigned to the following purposes:

One (1) vehicle to be used for investigations and inspections as necessary to fulfill the mission of the agency.

Additionally, we have received and appreciate your statement that the following positions will no longer be assigned a State vehicle for commuting purposes:

Director

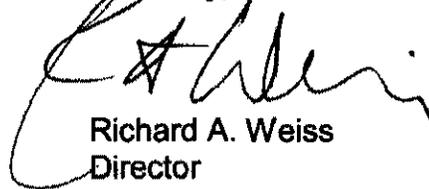
Please be aware that, under Section 4 of Executive Order 10-14, all vehicles must carry red, Official Business Only license plates and each must carry the official seal of either the State or your agency. Unless otherwise stated, this requirement applies to vehicles assigned to employees operating under a status designation of Public Health, Safety and Welfare.

Please also be aware that, under Section 3 of Executive Order 10-14, all vehicles not assigned to individual employees must be pooled, made available to any authorized employee and must remain on State property when not in use.

Additionally, please recall that Executive Order 10-14 requires State vehicles be used solely for purposes of official State business.

Thank you for your assistance and cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Weiss". The signature is written in a cursive style with a large initial "R" and a long horizontal stroke.

Richard A. Weiss
Director

Request for Status Designation: Commuter

Executive Order 10-14 established Status Designations for employees whose duties require assignment to a State Vehicle. Request for the Status Designation of Commuter must be made for individual state employees. Waivers issued under Governor's Policy Directive 3 will cease to be valid after Nov. 1, 2010.

Please use this form to Request the Status Designation of Commuter for employees within your State Agency, Board or Commission who require the use of a State Vehicle to travel to and from home and whose use of a State Vehicle is as a Commuter as described by Executive Order 10-14.

Please supply the following information for each state employee to receive the Status Designation of Commuter as described under Executive Order 10-14:

1. Name of Employee:

Teresa Marks

2. Position or Title of Employee:

Director

3. Agency, Board or Commission:

Arkansas Department of Environmental Quality

4. Year, Make and Mode of Vehicle to be Assigned:

2007 Toyota Prius Sedan

5. VIN Number of Vehicle to be Assigned:

6105

6. Estimated Mileage Driven on a Monthly Basis:

1,400

7. License Plate Number of Vehicle to be Assigned:

464 MEI

8. Does this vehicle have Official State License Plates: Yes: No:

9. If the employee has previously used a State Vehicle under a Waiver from Governor's Policy Directive 3 but no longer thinks it's necessary to use a State Vehicle in this manner, please check here:

10. Please use this space to describe the Legitimate State Business Purpose that would be met if this employee was granted a Commuter Status Designation. If additional space is needed, please add additional pages as necessary:

Although this vehicle will no longer be used for commuting purposes, we are requesting that it remain unmarked. At this time we have four unmarked vehicles in the fleet, we are proposing to put official state license plates on three of the vehicles but retain one unmarked vehicle should one be needed for investigation purposes.

ADEQ

ARKANSAS
Department of Environmental Quality

MEMORANDUM

FROM : Teresa Marks, Director 
TO : Richard Weiss, Director, Department of Finance and Administration
DATE : 19 October, 2010
SUBJECT : Commuter Use of State Vehicles Under Executive Order 10-14

The following information is provided in response to your memorandum of October 6th regarding the use of state vehicles under the Governor's Executive Order 10-14.

ADEQ is requesting commuter designation for one state vehicle as indicated on the enclosed Request for Status Designation: Commuter form. The requested vehicle is used by the department's two emergency response coordinators and is equipped with a computer, a two-way radio and various absorbent materials and equipment needed for environmental emergencies. As equipped, it is used as an on-scene command post in emergencies that pose threats to the environment. Since the on-duty coordinator must be available twenty-four hours a day, seven days a week, the duty is rotated between the two ADEQ coordinators on a monthly basis.

Although I had previously received a waiver from Governor's Policy Directive 3 to commute to and from home in a state vehicle, I no longer wish to receive such a waiver as indicated on the enclosed Request for Status Designation: Commuter form.

If any additional information is needed, please let me know.

Enclosures



Request for Status Designation: Commuter

Executive Order 10-14 established Status Designations for employees whose duties require assignment to a State Vehicle. Request for the Status Designation of Commuter must be made for individual state employees. Waivers issued under Governor's Policy Directive 3 will cease to be valid after Nov. 1, 2010.

Please use this form to Request the Status Designation of Commuter for employees within your State Agency, Board or Commission who require the use of a State Vehicle to travel to and from home and whose use of a State Vehicle is as a Commuter as described by Executive Order 10-14.

Please supply the following information for each state employee to receive the Status Designation of Commuter as described under Executive Order 10-14:

1. Name of Employee:

Dean F. VanDerhoff
Michael Parette

2. Position or Title of Employee:

Emergency Response Section Manager
Emergency Services Officer

3. Agency, Board or Commission:

Arkansas Department of Environmental Quality

4. Year, Make and Mode of Vehicle to be Assigned:

2009 Ford F 150 4X4 Crew Cab

5. VIN Number of Vehicle to be Assigned:

5485

6. Estimated Mileage Driven on a Monthly Basis:

1500

7. License Plate Number of Vehicle to be Assigned:

940 LHM

8. Does this vehicle have Official State License Plates:

Yes:

No:

9. If the employee has previously used a State Vehicle under a Waiver from Governor's Policy Directive 3 but no longer thinks it's necessary to use a State Vehicle in this manner, please check here:

10. Please use this space to describe the Legitimate State Business Purpose that would be met if this employee was granted a Commuter Status Designation. If additional space is needed, please add additional pages as necessary:

The use of this vehicle is for the public health safety and welfare of the citizens and environment of the State as outlined in the Governors' Executive Order 10-14, Section B, "Vehicles may also be assigned to individual officials and employees whose job duties require them to be available to respond after normal business hours to public health, safety, or welfare emergencies that require immediate travel from a personal residence to a location where specific skills, services, tools, equipment, or supplies are necessary to perform the job". An explanation of the vehicle use and response activities is shown below.
The emergency response section is responsible for responding to environmental emergencies, complaints and investigations into environmental impacts. This section must respond to emergencies regardless of the day, time or weather. The section has two responders, with one on call 24 hours a day, 7 days a week. The emergency response duty officer is contacted by the Department of Emergency Management for all environmental impacts and coordinating the information to determine our response actions. In 2009, out of 101 environmental incidents requiring a response, 29 were after normal duty hours and 12 were either weekends or holidays. In 2010 as of October 19th, out of 111 environmental incidents requiring response, 26 were after normal duty hours and 11 were either weekends or holidays.