

Exhibit B to Huntsville Petition
Legislative Questionnaire

**QUESTIONNAIRE FOR FILING PROPOSED RULES AND REGULATIONS
WITH THE ARKANSAS LEGISLATIVE COUNCIL AND JOINT INTERIM COMMITTEE**

DEPARTMENT/AGENCY Arkansas Department of Environmental Quality
 DIVISION Water Division
 DIVISION DIRECTOR Ryan Benefield (Acting Chief)
 CONTACT PERSON Sarah Clem
 ADDRESS 5301 Northshore Drive, North Little Rock, AR 72118
 PHONE NO. 501-682-0959 FAX NO. 501-682-0880 E-MAIL benefield@adeq.state.ar.us
 NAME OF PRESENTER AT COMMITTEE MEETING _____
 PRESENTER E-MAIL cnestrud@cnjlaw.com

INSTRUCTIONS

- A. Please make copies of this form for future use.
- B. Please answer each question completely using layman terms. You may use additional sheets, if necessary.
- C. If you have a method of indexing your rules, please give the proposed citation after "Short Title of this Rule" below.
- D. Submit two (2) copies of this questionnaire and financial impact statement attached to the front of two (2) copies of the proposed rule and required documents. Mail or deliver to:

Donna K. Davis
 Administrative Rules Review Section
 Arkansas Legislative Council
 Bureau of Legislative Research
 Room 315, State Capitol
 Little Rock, AR 72201

1. What is the short title of this rule? Arkansas Water Quality Standards

Remove the designated but not existing water supply use from certain segments of Town Branch and Holman Creek and revise the mineral criteria for certain segments of Town Branch, Holman Creek and War Eagle Creek

2. What is the subject of the proposed rule? _____

3. Is this rule required to comply with a federal statute, rule, or regulation? Yes No
 If yes, please provide the federal rule, regulation, and/or statute citation.

4. Was this rule filed under the emergency provisions of the Administrative Procedure Act? Yes No
 If yes, what is the effective date of the emergency rule? _____

When does the emergency rule expire? _____

Will this emergency rule be promulgated under the permanent provisions of the Administrative Procedure Act?

Yes

No

5. Is this a new rule?

Yes

No

If yes, please provide a brief summary explaining the regulation.

Does this repeal an existing rule?

Yes

No

If yes, a copy of the repealed rule is to be included with your completed questionnaire. If it is being replaced with a new rule, please provide a summary of the rule giving an explanation of what the rule does.

Is this an amendment to an existing rule?

Yes

No

If yes, please attach a mark-up showing the changes in the existing rule and a summary of the substantive changes. **Note: The summary should explain what the amendment does, and the mark-up copy should be clearly labeled "mark-up."**

6. Cite the state law that grants the authority for this proposed rule?

If codified, please give Arkansas Code citation.

Statute: Arkansas Water and Air Pollution Control Act, A.C.A. § 8-4-201(b)(1)(A)

Regulation: Commission Regulations 2.303, 2.306, and 8.809

7. What is the purpose of this proposed rule? Why is it necessary?

This rule is necessary to allow ADEQ to issue an NPDES Permit to Huntsville that will allow Huntsville to discharge historical levels of minerals in its wastewater. It is necessary because a study has found that discharges of historical levels of minerals has no adverse impacts on water quality, and there is no feasible treatment available to reduce the levels of minerals in the Huntsville wastewater to the levels that would be required if the rulemaking is not approved.

8. Please provide the address where this rule is publicly accessible in electronic form via the Internet as required by Arkansas Code § 25-19-108(b).

A copy of the draft regulation showing the proposed changes, along with related support documents, will be available for viewing or downloading on the draft regulation page of the ADEQ's Internet web site at www.adeq.state.ar.us.

9. Will a public hearing be held on this proposed rule?

Yes

No

If yes, please complete the following:

October 28,

Date: 2013

Time: 6 p.m.

Place: Madison County Courthouse 201 W. Main Huntsville, AR

10. When does the public comment period expire for permanent promulgation? (Must provide a date.)

October 2013

11. What is the proposed effective date of this proposed rule? (Must provide a date.)

November 1, 2013

12. Do you expect this rule to be controversial?

Yes

No

If yes, please explain. _____

13. Please give the names of persons, groups, or organizations that you expect to comment on these rules?
Please provide their position (for or against) if known.

It is unlikely that any group will comment on this proposed rule.

ADDENDUM

(Based on July 26, 2013 Commission Meeting)

Beaver Water District (against)

Arkansas Canoe Club (against)

Arkansas Department of Health (against)

Arkansas Department of Environmental Quality (unknown)