

Exhibit D

Questionnaire for Filing Proposed Rules and Regulations with the Arkansas Legislative Council and Joint Interim Committee

APPENDIX 6

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

DEPARTMENT/AGENCY ADEQ
DIVISION Air
DIVISION DIRECTOR Mike Bates
CONTACT PERSON Mike Porta
ADDRESS 5301 Northshore Dr.
PHONE NO. 501-682-0730 FAX NO. 501-682-0753 E-MAIL Bates @ adeq.state.ar.us
NAME OF PRESENTER AT COMMITTEE MEETING _____
PRESENTER E-MAIL _____

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? Regulation 26
- 2. What is the subject of the proposed rule? n/a
- 3. Is this rule required to comply with a federal statute, rule, or regulation? Yes No
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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 Yes _____ No If yes, a copy of the repealed rule is to be included with your completed questionnaire.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.

Water and Air Pollution Control Act (Ark. Code 8-4)

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

update definition

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).

www.adeq.state.ar.us/regs/default.htm

9. Will a public hearing be held on this proposed rule? Yes No _____
If yes, please complete the following:

Date: TBD

Time: _____

Place: _____

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

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

TBD

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.

Ken Smith, Audubon (for)
Glen Hooks, Sierra Club (for)