

EXHIBIT B

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, P.E., ADEQ Deputy Director
 CONTACT PERSON Ellen Carpenter, Chief, ADEQ Water Division
 ADDRESS 5301 North Shore Drive, N. Little Rock, AR 722118
 PHONE NO. (501) 682-0960 FAX NO. (501) 682-0891 E-MAIL benefield@adeq.state.ar.us
 NAME OF PRESENTER AT COMMITTEE MEETING Teresa Marks, ADEQ Director
 PRESENTER E-MAIL marks@adeq.state.ar.us

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
 One Capitol Mall, 5th Floor
 Little Rock, AR 72201**

1. What is the short title of this rule? Regulation No. 6: Regulations for State Administration of the National Pollutant Discharge Elimination System (NPDES)

2. What is the subject of the proposed rule? Implementation of Act1511 of 2013

3. Is this rule required to comply with a federal statute, rule, or regulation? Yes No
 The regulation must comply with the regulations promulgated thereunder. Additionally, the proposed changes are made in accordance with Act 1511 of 2013.
 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? N/A

When does the emergency rule expire?

N/A

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. Public Notice Requirements for Arkansas CAFO General Permit ARG590000

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If yes, a copy of the repealed rule is to be included with your completed questionnaire.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 the Arkansas Code citation. The Arkansas Water and Air Pollution Control Act, Ark. Code. Ann. § 8-4-101 et seq., including but not limited to Ark. Code Ann. § 8-4-202, including new provisions included in Act 1511 of 2013.

7. What is the purpose of this proposed rule? Why is it necessary? Act 1511 of 2013 formed a committee that made recommendations to the Arkansas Legislative Council for updating the public notice requirements for proposed Concentrated Animal Feeding Operations (CAFO) seeking coverage under the NPDES general permit for CAFO. Those changes are incorporated into this regulation. As APC&EC Regulation No. 6 is the regulation governing the development and issuance of NPDES permits by ADEQ, this regulation should be amended to incorporate and fully implement the recommendations developed pursuant to Act 1511 of 2013.

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). After initiation of the rulemaking process by the Arkansas Pollution Control and Ecology Commission, the proposed rule and all related documents, including this form, will be available here: http://www.adeq.state.ar.us/regs/drafts/draft_regs.htm

9. Will a public hearing be held on this proposed rule? Yes No

If yes, please complete the following:

Date: July 14, 2014

Time: 2:00 p.m.

Place: ADEQ Headquarters

Commission Room,
5301 Northshore Drive
North Little Rock, AR 72118

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

4:30 p.m. July 28, 2014.

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

October 24, 2014.

12. Do you expect this rule to be controversial? Yes No

If yes, please
explain.

N/A

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.

N/A
