

# **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 Hazardous Waste Division  
DIVISION DIRECTOR Tammie Hynum  
CONTACT PERSON Tamara Almand  
ADDRESS 5301 Northshore Drive, North Little Rock, AR 72118  
PHONE NO. 501-683-0069 FAX NO. 501-682-0565 E-MAIL almand@adeq.state.ar.us  
NAME OF PRESENTER AT COMMITTEE MEETING J. Ryan Benefield, P.E.  
PRESENTER E-MAIL benefield@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, 5<sup>th</sup> Floor  
Little Rock, AR 72201**

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1. What is the short title of this rule? APC&EC Regulation No. 29, Arkansas Brownfields Redevelopment
2. What is the subject of the proposed rule? Regulation 29 contains the regulations for redevelopment of abandoned sites that may be affected by hazardous waste so that they can be safely returned to useful properties.
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. N/A
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. N/A

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If yes, a copy of the repealed rule is to be included with your completed questionnaire.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. Ark. Code Ann. § 8-7-201 et seq., Ark. Code Ann. § 8-7-501 et seq., and Ark. Code Ann. § 8-7-1101 et seq.

7. What is the purpose of this proposed rule? Why is it necessary? The proposed changes to the Regulation are necessary in order to conform with language in Ark. Code Ann. § 8-7-1101; to correct the reference of Brownfields to Brownfield; to correct a discrepancy affecting eligibility requirements; and make minor stylistic revisions.

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). [http://www.adeq.state.ar.us/regs/drafts/draft\\_regs.htm](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: September 30, 2014

Time: 2:00 PM

Place: Commission Room, ADEQ  
Headquarters, 5301 Northshore Drive,  
North Little Rock, AR 72118

10. When does the public comment period expire for permanent promulgation? (Must provide a date.)  
Ten business days from the date of the public hearing, which will be on or about October 14, 2014.

11. What is the proposed effective date of this proposed rule? (Must provide a date.)  
On or about December 20, 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.

None anticipated.

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