

Exhibit C

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 Caleb Osborne
 CONTACT PERSON Caleb Osborne
 ADDRESS 5301 Northshore Drive, North Little Rock, AR 72118
 PHONE NO. 501-682-0665 FAX NO. 501-682-0880 E-MAIL osbornec@adeq.state.ar.us
 NAME OF PRESENTER AT COMMITTEE MEETING Charles Nestrud/Caleb Osborne
 PRESENTER E-MAIL cnestrud@barberlawfirm.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

Arkansas Pollution Control and Ecology Commission
 Regulation No. 2 Regulation Establishing Water Quality
 Standards for Surface Waters of the State of Arkansas

1. What is the short title of this rule? Modification of the Arkansas Water Quality Standards (WQS) for Town Branch, Holman Creek and a segment of the War Eagle Creek from Huntsville Wastewater Treatment Plant outfall to the confluence of Clify Creek with War Eagle Creek.
2. What is the subject of the proposed rule? Modification of the Arkansas Water Quality Standards (WQS) for Town Branch, Holman Creek and a segment of the War Eagle Creek from Huntsville Wastewater Treatment Plant outfall to the confluence of Clify Creek with War Eagle Creek.
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.
Act 472 of 1949, as amended, ARK. CODE ANN. § 8-4-101 et seq. and Ark. Act 401 of 1997, ARK. CODE ANN. § 8-5-901 et seq.

7. What is the purpose of this proposed rule? Why is it necessary?
The purpose of the proposed rule is to amend APCEC Regulation No. 2 to modify the chloride, sulfate and total dissolved solids ("TDS") water quality criterion for Act 472 of 1949, as amended, ARK. CODE ANN. § 8-4-101 et seq. and Ark. Act 401 of 1997, ARK. CODE ANN. § 8-5-901 et seq.

The rule is necessary to modify the chloride, sulfate and TDS criteria to levels that reflect current and historic water quality conditions which are affected by naturally occurring conditions. The site-specific water quality criteria modifications will not adversely affect the aquatic life. There are no economically feasible treatment technologies capable of reducing the dissolved mineral concentration to levels of the current standards in Town Branch, Holman Creek or the affected segments of War Eagle Creek

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

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

If yes, please complete the following:

Date: November 13, 2017

Time: 6 p.m.

Place: Huntsville, Arkansas

10. When does the public comment period expire for permanent promulgation? (Must provide a date.) November 23, 2017

11. What is the proposed effective date of this proposed rule? (Must provide a date.) February, 2018

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.

For or Neutral:

Arkansas Department of Environmental Quality
Arkansas Department of Health
Arkansas Natural Resources Commission
Region VI, US Environmental Protection Agency
Arkansas Game and Fish Commission

Beaver Water District
Against:

Unknown
