

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

DEPARTMENT/AGENCY Arkansas Department of Environmental Quality

DIVISION Solid Waste Management Division

DIVISION DIRECTOR Steve Martin

CONTACT PERSON Pat Henry

ADDRESS 8001 National Drive, P.O. Box 8913, Little Rock, AR 72219-8913

PHONE NO. 501-682-0588 **FAX NO.** 501-682-0611 **E-MAIL** henry@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
Subcommittee on Administrative Rules and Regulations
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 11: Regulations for Solid Waste Disposal Fees; Landfill Post-Closure Trust Fees; Illegal Dumps Program; and Recycling Grants Program
- 2. What is the subject of the proposed rule? Solid Waste Management Fees, Landfill Post-Closure Fund and Recycling Grants Program
- 3. Is this rule required to comply with federal statute or regulations? Yes _____ No X _____
If yes, please provide the federal regulation and/or statute citation.
- 4. Was this rule filed under the emergency provisions of the Administrative Procedure Act?
Yes _____ No X _____
If yes, what is the effective date of the emergency rule? _____
When does the emergency rule expire? _____

EXHIBIT B

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

Does this repeal an existing rule? Yes _____ No X If yes, a copy of the repealed rule is to be included with your completed questionnaire.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 X 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. Solid Waste Management and Recycling Fund Act, A.C.A. § 8-6-601 et seq., Landfill Post-Closure Trust Fund Act, A.C.A. § 8-6-1001 et seq., Regional Solid Waste Management District and Boards Act, A.C.A. § 8-6-701 et seq., and the Illegal Dump Eradication and Corrective Action Program Act, A.C.A. § 8-6-501 et seq.

7. What is the purpose of this proposed rule? Why is it necessary? To develop and implement systems for the collection of fees for waste received at landfill facilities within the State of Arkansas, and the collection of fees for waste generated within the State and transported to landfill facilities in other States; for the administration of a landfill post-closure trust fund program; for the administration of an illegal dump eradication and corrective action funding program; and for the administration of a solid waste management and recycling grants program.

8. Will a public hearing be held on this proposed rule? Yes X No _____
If yes, please complete the following:
Date: Week of December 1, 2003
Time: TBA by public notice
Place: State Police Headquarters, 1 State Police Plaza, Little Rock, AR 72209

9. When does the public comment period expire for permanent promulgation? (Must provide a date.) _
10 business days after the date of the public hearing; on or about December 15, 2003

10. What is the proposed effective date of this proposed rule? (Must provide a date.)
March 16, 2004

11. Do you expect this rule to be controversial? Yes _____ No X If yes, please explain.

12. Please give the names of persons, groups, or organizations that you expect to comment on these rules?

EXHIBIT B

Please provide their position (for or against) if known. Arkansas Environmental Federation (unknown); Solid Waste Management Districts (unknown)