

**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  
**DIVISION DIRECTOR** Benjamin Jones  
**CONTACT PERSON** Lesley Morgan  
**ADDRESS** 5301 Northshore Drive  
**PHONE NO.** 501-682-0889 **FAX NO.** 501-682-0891 **E-MAIL** morganl@adeq.state.ar.us  
**NAME OF PRESENTER AT COMMITTEE MEETING** Lesley Morgan  
**PRESENTER E-MAIL** morganl@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? Regulation 11: Solid Waste Management Fees, Funds and Grants

2. What is the subject of the proposed rule? Regulation 11 contains the regulations for solid waste disposal fees; Landfill Post-Closure Trust Fund; Recycling Fund distributions; and the Recycling Grants Programs

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. \_\_\_\_\_

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If yes, a copy of the repealed rule is to be included with your completed questionnaire.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. § 8-6-602(d); Act 1333 of 2013 (amends Ark. Code Ann. §§ 8-6-602(d), 8-6-605, 8-6-610; repeals Ark. Code Ann. § 8-6-609; adds Ark. Code Ann. § 8-6-615); Act 819 of 2011

7. What is the purpose of this proposed rule? Why is it necessary? The proposed changes are necessary to incorporate statutory changes passed by the General Assembly that amend various provisions of the Solid Waste Management and Recycling Fund Act, Ark. Code Ann. § 8-6-601 et seq., particularly Act 1333 of 2013 and Act 819 of 2011; establish the Recycling Fund and eliminate future disbursements from the Recycling Grants Program; clarify provisions concerning the management of Recycling Grant funds previously disbursed; clarify the Computer and Electronic Equipment Recycling Grants program; 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). www.adeq.state.ar.us/reg/drafts/draft\_regs.htm

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

If yes, please complete the following:

Date: 1/14/2014

Time: 2:00 PM

5301 Northshore Drive, North Little  
Place: 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 January 28, 2014

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

On or about February 28, 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.

Unknown

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