

**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

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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, 5th Floor
Little Rock, AR 72201**

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If yes, a copy of the repealed rule is to be included with your completed questionnaire.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: 3/3/2014

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 March 17, 2014

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

On or about April 25, 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
