

Exhibit C:

Legislative Questionnaire

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

DEPARTMENT/AGENCY Arkansas Department of Environmental Quality (ADEQ)
DIVISION Office of Business Enterprise
DIVISION DIRECTOR Kevin White
CONTACT PERSON Tommy Edgman
ADDRESS 5301 Northshore Drive, North Little Rock, Arkansas
PHONE NO. 501-682-0592 **FAX NO.** 501-682-0611 **E-MAIL** edgman@adeq.state.ar.us
NAME OF PRESENTER AT COMMITTEE MEETING Kevin White
PRESENTER E-MAIL white@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? APC&EC Regulation No. 16: Regulation of the State of Arkansas for Waste Reduction, Reuse, or Recycling Tax Credits
2. What is the subject of the proposed rule? The administration of state tax credit incentives for waste reduction, reuse, or recycling
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. Not applicable
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? Not applicable
- When does the emergency rule expire? Not applicable

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If yes, a copy of the repealed rule is to be included with your completed questionnaire.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. § 8-1-203(b)(1)(A); Acts 692 and 862 of 2015; Ark. Code Ann. §§ 26-51-506 and 26-51-1215.

7. What is the purpose of this proposed rule? Why is it necessary?

The proposed amendments are necessary to comply with changes to state law by the General Assembly, including Acts 692 and 862 of 2015. Changes to the regulation include:

- Revisions to definitions in Reg.16.103, including adding a definition for "qualified manufacturer of steel" and revising the definition of "waste reduction, reuse, or recycling equipment;"
- Revisions to Reg.16.109 to allow a qualified steel manufacturer to carry forward unused tax credit amounts to subsequent years for a period of fourteen (14) years;
- Revisions to language throughout the regulation concerning the applicability of the waste reduction, reuse, or recycling income tax credit to qualified manufacturers of steel to conform with state law changes; and
- Minor revisions to include correcting typographical, grammatical, formatting, and stylistic errors.

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/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: July 31, 2017

Time: 2:00 p.m.

Commission Room
ADEQ Headquarters
5301 Northshore Drive

Place: North Little Rock, AR 72118

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

Ten (10) business days from the date of the public hearing, which will be on or about August 14, 2017

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

December 11, 2017

12. Please provide a copy of the notice required under Ark. Code Ann. § 25-15-204(a), and proof of the publication of said notice.

13. Please provide proof of filing the rule with the Secretary of State and the Arkansas State Library as required pursuant to Ark. Code Ann. § 25-15-204(e). Filing with the Secretary of State does not occur until after legislative review and adoption by the Arkansas Pollution Control and Ecology Commission.

14. 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.