

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

DEPARTMENT/AGENCY Arkansas Department of Environmental Quality
DIVISION Air Division
DIVISION DIRECTOR Mike Bates
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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 19
2. What is the subject of the proposed rule?
Arkansas Pollution Control and Ecology Commission Regulation 19 Regulations of the Arkansas Plan of Implementation for Air Pollution Control
3. Is this rule required to comply with federal statute or regulations? Yes x No _____
If yes, please provide the federal regulation and/or statute citation.
Clean Air Act Section 169A and B and 40 CFR 51.308 and 40 CFR 51.300.
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? _____
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 Yes _____ No X If yes, a copy of the repealed rule is to be included with your completed questionnaire.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."

Addition of Chapter 15 to address the State's obligations as part of the Regional Haze Rule. 40 CFR 51.308 requires all states to submit, an implementation plan addressing regional haze in each mandatory Class I Federal area located within the state and areas located outside the state which may be affected by emissions from within the state. This plan, among other things, must contain emission limits representing best available retrofit technology (BART) requirements for sources "that may reasonably be anticipated to cause or contribute to any impairment of visibility in any mandatory Class I federal area.

6. Cite the state law that grants the authority for this proposed rule? If codified, please give Arkansas Code citation.
A.C.A. Sections 8-4-202 and 8-4-311.
7. What is the purpose of this proposed rule? Why is it necessary?
The purpose of these regulatory revisions is to meet the State's obligation to establish BART requirements as found in 40 CFR 51.308(e).
8. Will a public hearing be held on this proposed rule? Yes X No _____
If yes, please complete the following:
Date: June 27, 2007
Time: 2:00 p.m. to 4:00 p.m.
Place: Arkansas Pollution Control and Ecology Commission Meeting Room located in the Arkansas State Police Building near Geyer Springs Road and Interstate 30, Little Rock, Arkansas
9. When does the public comment period expire for permanent promulgation? (Must provide a date.) _
July 12, 2007
10. What is the proposed effective date of this proposed rule? (Must provide a date.)
Ten days after filing with the Secretary of State, the State Library and the Bureau of Legislative Research.
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? Please provide their position (for or against) if known.