

**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 Anne Weinstein, Legal Division  
ADDRESS 8001 National Drive, P. O. Box 8913, Little Rock, AR 72219-8913  
PHONE NO. 501.682-0744 FAX NO. 501.682-0891 E-MAIL [weinstein@adeq.state.ar.us](mailto:weinstein@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 22 – Solid Waste Management Rules
- 2. What is the subject of the proposed rule? The establishment, construction, operation, or maintenance of solid waste management systems, disposal sites, and facilities, pursuant to powers and duties of the Department and Commission as set forth in A.C.A. 8-6-207.
- 3. Is this rule required to comply with federal statute or regulations? Yes  No   
If yes, please provide the federal regulation and/or statute citation. 40CFR Parts 257 and 258
- 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? \_\_\_\_\_  
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  If yes, please provide a brief summary explaining the regulation.

**EXHIBIT B**

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 Yes \_\_\_\_\_ No X If yes, a copy of the repealed rule is to be included with your completed questionnaire.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.

Arkansas Code Annotated 8-6-201 et seq.

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

The changes proposed to Regulation 22 will provide updates to make the regulation consistent with state and federal law; and will provide other needed corrections to formatting standards; and will provide clarification of solid waste disposal activities throughout the state.

8. Will a public hearing be held on this proposed rule? Yes X No \_\_\_\_\_  
If yes, please complete the following:

Date: Week of October 4, 2004

Time: To be announced by public notice

Place: Springdale and Little Rock

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 October 21, 2004

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

January 31, 2005

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.

The Department expects to receive comments from the Solid Waste Management Districts, the Arkansas Environmental Federation, consulting firms, representatives of the solid waste industries and the general public. Generally the comments received by the Department have been positive and supportive of the proposed changes. The Department has conducted a series of meetings across the state with participants to work through many issues that needed to be updated and clarified in this regulation.