

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

DEPARTMENT/AGENCY	<u>Arkansas Department of Environmental Quality</u>
DIVISION	<u>Solid Waste Management Division</u>
DIVISION DIRECTOR	<u>Steve Martin, Chief, Solid Waste Management Division</u>
CONTACT PERSON	<u>Anne Weinstein, Legal Division</u>
ADDRESS	<u>8001 National Drive, P. O. Box 8913, Little Rock, AR 72219-8913</u>
PHONE NO.	<u>501-682-0743</u>
E-MAIL	<u>weinstein@adeq.state.ar.us</u>

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:

Attention: 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?** APC&EC 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
If yes, please provide the federal regulation and/or statute citation. 40 CFR Parts 257 and 258
4. **Was this rule filed under the emergency provisions of the Administrative Procedure Act?** 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? N/A
5. **Is this a new rule?** No
If yes, please provide a brief summary explaining the regulation.

Does this repeal an existing rule? 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If yes, a copy of the repealed rule is to be included with your completed questionnaire.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

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.** A. C. A. § 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 make the regulation consistent with state law, will provide other needed corrections to formatting standards and will provide several clarifications.
8. **Will a public hearing be held on this proposed rule?** Yes
If yes, please complete the following:

Date: Week of December 4, 2005
Time: To be announced by public notice
Place: ADEQ Building G, Commission Room, Little Rock, Arkansas
9. **When does the public comment period expire for permanent promulgation?**
10 business days after the date of the public hearing; on or about week of December 19, 2005
10. **What is the proposed effective date of this proposed rule?** On or about February 24, 2006
11. **Do you expect this rule to be controversial?** No
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, consulting firms, representatives of the solid waste industries and the general public. The Department expects the comments to be positive and supportive of the proposed changes.