

**EXHIBIT D:**

**Questionnaire for Filing  
Proposed Rules and Regulations  
with the  
Arkansas Legislative Council  
and the  
Joint Interim Committee**

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

**FROM:**

**AGENCY:** Arkansas Department of Environmental Quality  
**DIVISION:** Hazardous Waste Division  
**CONTACT PERSON:** Mary Leath  
**ADDRESS:** 8001 National Drive, P.O. Box 8913, Little Rock, AR  
72219  
**PHONE NUMBER:** 682-0744 **FAX NUMBER:** 682-0880

**TO:**

Attention: Donna Davis  
Subcommittee on Administrative Rules and Regulations  
Arkansas Legislative Council  
Room 315, State Capitol  
Little Rock, Arkansas 72201

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**1. What is the short title of this rule?** APC&EC Regulation No. 23 (Hazardous Waste Management); 2005 Annual Update

**2. What is the subject of the proposed rule?** State adoption and implementation of regulations for the management of hazardous wastes

**3. Is this rule required to comply with federal statute or regulations?** Yes.  
**If Yes, please provide the federal statute and or regulation citation:** 40 CFR Part 271

**4. Was this rule filed under the emergency provisions of the Administrative Procedure Act?** No  
**If Yes, what is the date of the emergency rule?** N/A  
**When does the emergency rule expire?** N/A  
**Will this emergency rule be promulgated under the regular provisions of the Administrative Procedures Act?** N/A

**5. Is this a new rule?** No – update of existing regulations.  
**Does this repeal an existing rule?** No  
**If yes, please provide a copy of the repealed rule.**

**Is this an amendment to an existing rule?** Yes  
**If yes, please attach a markup showing the changes in the existing rule and a summary of the substantive changes.** Attached.

**6. What State or federal law or regulation grants the authority for this proposed rule?**

Arkansas Hazardous Waste Management Act, A.C.A. §§ 8-7-209(b)(1)  
Arkansas Remedial Action Trust Fund Act, A.C.A. §§ 8-7-506

**7. What is the purpose of this proposed rule? Why is it necessary?** Adopts newly-revised federal rules published between April 22, 2004, and July 1, 2005; adds universal waste provision for mercury-containing devices.

**8. Will a public hearing be held on this proposed rule?** Yes.

**(If yes, state the date, time, and location of the public hearing.** 2:00 p.m., October 4, 2005, at the Pollution Control & Ecology Commission Room, Arkansas State Police Building, 1 State Police Plaza (intersection of Geyer Springs Road and Interstate 30), Little Rock.

**9. When does the public comment period expire?** 4:30 p.m., October 14, 2004

**10. What is the proposed effective date of this rule?** February 2006 (10 days following filing, after January 2006 APC&E Commission meeting)

**11. Do you expect this rule be controversial?** No.

**If yes, please explain.**

**12. Please give the names, addresses, and phone numbers of all persons, groups, organizations, etc. interested in or affected by this proposed rule and the position taken by each.**

Categorize them according to the following:

(A) Those you contacted.

(B) Those who contacted you.

(C) Those whom you anticipate will participate in the public hearing.

NAMES, ADDRESSES, & PHONE NUMBERS	CATEGORY	FOR	AGAINST
Arkansas Environmental Federation, 1400 W. Markham Street, Little Rock, AR 72201, (501) 374-0263	A,C	X	