

## **Exhibit C:**

### **Legislative Questionnaire**



**QUESTIONNAIRE**  
**FOR FILING PROPOSED RULES WITH THE**  
**ARKANSAS LEGISLATIVE COUNCIL**

**DEPARTMENT/AGENCY** Department of Energy and Environment

**DIVISION** Office of Land Resources

**DIVISION DIRECTOR** Jarrod Zweifel

**CONTACT PERSON** David Witherow

**ADDRESS** 5301 Northshore Drive, North Little Rock, AR 72118

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**NAME OF PRESENTER AT COMMITTEE MEETING** David Witherow

**PRESENTER E-MAIL** witherow@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. Rule" below.
- E. Submit two (2) copies of the Questionnaire and Financial Impact Statement attached to the front of two (2) copies of the proposed rule and required documents. Mail or deliver to:

Jessica C. Sutton  
Administrative Rules Review Section  
Arkansas Legislative Council  
Bureau of Legislative Research  
One Capitol Mall, 5th Floor  
Little Rock, AR 72201

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1. What is the short title of this rule?

APC&EC Rule No. 23

2. What is the subject of the proposed rule?

Hazardous Waste Management

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.

40 C.F.R. Parts 260-279

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 ☒

Revised June 2019



5. Is this a new rule? Yes ☐ No ☒ If yes, please provide a brief summary explaining the rule.

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 Yes ☐ No ☒ If yes, a copy of the repealed rule is to be included with your completed questionnaire.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.”

To adopt newly-revised federal rules published between January 13, 2015, and January 3, 2018; to propose changes to existing Rules; to correct errors in the Rule in order to conform with the Federal regulations; to correct inconsistencies in the Rule pertaining to previously adopted federal rules; and to make stylistic corrections. These revisions are necessary to keep the state hazardous waste Rules current with the corresponding federal requirements.

6. Cite the state law that grants the authority for this proposed rule? If codified, please give the Arkansas Code citation.

Ark. Code Ann. §§ 8-7-209(b)(1)

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

The Division of Environmental Quality proposes this rule making before the Arkansas Pollution Control and Ecology Commission to Rule No. 23 (Hazardous Waste Management) in order to adopt Federal revisions to the hazardous waste management rules and to make technical and language corrections. The Commission’s authority for amending Rule No. 23 is found in Arkansas Code Annotated § 8-7-209(b)(1).



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).

[https://www.adeq.state.ar.us/regs/draft\\_regs.aspx](https://www.adeq.state.ar.us/regs/draft_regs.aspx)

9. Will a public hearing be held on this proposed rule? Yes ☒ No ☐ If yes, please complete the following:

Date: July 20, 2020

Time: 2:00 p.m.

Place: Commission Room, DEQ Headquarters, 5301 Northshore Drive, North Little Rock, AR 72118

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

Ten business days from the date of the public hearing, which will be on or about August 3, 2020.

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

November 10, 2020

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. N/A

13. Please provide proof of filing the rule with the Secretary of State as required pursuant to Ark. Code Ann. § 25-15-204(e). N/A

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.

Arkansas Environmental Federation