

QUESTIONNAIRE
FOR FILING PROPOSED RULES WITH THE
ARKANSAS LEGISLATIVE COUNCIL

DEPARTMENT/AGENCY Department of Energy and Environment
DIVISION Division of Environmental Quality
DIVISION DIRECTOR Julie Linck
CONTACT PERSON Michael Grappe or Daniel Pilkington
ADDRESS 5301 Northshore Drive, North Little Rock, AR 72118
PHONE NO. (501) 682-0647 **FAX NO.** (501) 682-0880 **E-MAIL** grappem@adeq.state.ar.us; Daniel.Pilkington@adeq.state.ar.us
NAME OF PRESENTER AT COMMITTEE MEETING Michael Grappe
PRESENTER E-MAIL grappem@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

1. What is the short title of this rule? APC & EC Rule 27

2. What is the subject of the proposed rule? Licensing of Operators of Solid Waste Management Facilities and Certification Requirements for Environmental Officers

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.

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 Yes No If yes, a copy of the repealed rule is to be included with your completed questionnaire.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

See mark-up draft and Executive Summary.

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

Ark. Code Ann. § 8-1-203, and specifically under Ark Code Ann. §§ 8-6-2006, 8-6-2007(a), and 8-6-905.

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

The Division of Environmental Quality (DEQ) proposes this rulemaking to amend Rule No. 27: Licensing of Operators of Solid Waste Management Facilities and Training and Certification Requirements for Environmental Officers, in order to promulgate new mandated rules for DEQ's administration of the Environmental Compliance Resource Program, new mandatory rules for DEQ's administration of the licensing program for solid waste management facility operators, new mandatory rules for the licensing requirements of environmental officers, and new mandatory rules for the licensing requirements of solid waste management facility operators. The amendments are necessary because of recent statutory changes from Act 749 of 2021 and Act 773 of 2021 passed by the Arkansas General Assembly.

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

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

Date: 03/28/2022

Time: 1:00 p.m.

Place: Commission Room, Department of Energy and Environment, 5301 Northshore Drive, North Little Rock, AR 72118

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

04/11/2022

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

08/01/2022

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. Exempt

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

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.

Unknown at this time.