

**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:** Tom Ezell  
**ADDRESS:** 8001 National Drive, P.O. Box 8913, Little Rock, AR 72219  
**PHONE NUMBER:** 682-0876 **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. 30 (Arkansas Hazardous Substances Remedial Action Trust Fund Priority List)

**2. What is the subject of the proposed rule?** Identifies abandoned hazardous substance sites for which monies for site investigation and cleanup may be expended from the Arkansas Hazardous Substance Remedial Action Trust Fund.

**3. Is this rule required to comply with federal statute or regulations?** Yes.  
**If Yes, please provide the federal statute and or regulation citation:** CERCLA § 104(c)(3); 42 U.S. Code § 9604(c)(3)

**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?** Yes  
**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**If yes, please provide a copy of the repealed rule.**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; separates this List from its previous inclusion in APC&EC Regulation No. 23.  
**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 Remedial Action Trust Fund Act, A.C.A. § 8-7-506; §§ 8-7-509(e)(1)&(2)

**7. What is the purpose of this proposed rule? Why is it necessary?** This rule separates the RATFA Priority List from the bulk of the state hazardous waste regulations in order to reduce the administrative burden and financial costs of maintaining and updating the priority list..

**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., August 6, 2003, at the ADEQ Building D Training Room, 8101 Interstate 30, Little Rock.

**9. When does the public comment period expire?** 4:30 p.m., August 20, 2003

**10. What is the proposed effective date of this rule?** Early November, 2003

**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.

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