

**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. 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 funds 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? No.
If Yes, please provide the federal statute and or regulation citation

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.

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If yes, please provide a copy of the repealed rule.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 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?
The Arkansas Remedial Action Trust Fund Act (A.C.A. §§ 8-7-501 *et seq.*) provides authority and funding for the identification, investigation and remediation of hazardous substances sites within the State. A site must be listed on

the appropriate sub-listing of the Hazardous Substance Remedial Action Trust Fund Priority List contained in Regulation No. 30 before any monies from the Remedial Action Trust Fund may be expended for non-emergency investigation or remedial activities at that site. This revision to the Regulation adds one (1) site to the state list for matching or supplemental funds for Federal National Priority List (NPL) sites; adds one (1) site to both the Investigative and Remediation categories of the State Priority List, and adds seven (7) sites to the Investigation category of the State 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 10, 2005, 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 24, 2005

10. What is the proposed effective date of this rule? Early November, 2005

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	
General Dynamics	A, C		X
Highland Industrial Park	A,C	X	