

**EXHIBIT B:**

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

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

**DEPARTMENT/AGENCY** Arkansas Department of Environmental Quality  
**DIVISION** Hazardous Waste Division  
**DIVISION DIRECTOR** Tammie Hynum  
**CONTACT PERSON** Tom Ezell  
**ADDRESS** 5301 Northshore Drive, North Little Rock, AR 72118  
**PHONE NO.** (501) 682-0854 **FAX NO.** (501) 682-0565 **E-MAIL** ezell@adeq.state.ar.us  
**NAME OF PRESENTER AT COMMITTEE MEETING** J. Ryan Benefield, P.E.  
**PRESENTER E-MAIL** benefield@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. Submit two (2) copies of this questionnaire and financial impact statement attached to the front of two (2) copies of the proposed rule and required documents. Mail or deliver to:**

**Donna K. Davis  
Administrative Rules Review Section  
Arkansas Legislative Council  
Bureau of Legislative Research  
Room 315, State Capitol  
Little Rock, AR 72201**

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1. What is the short title of this rule? APC&EC Regulation No. 30

2. What is the subject of the proposed rule? Arkansas Remedial Action Trust Fund Hazardous Substances Site Priority List

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? N/A

When does the emergency rule expire? N/A

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 regulation.

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If yes, a copy of the repealed rule is to be included with your completed questionnaire.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."**

6. Cite the state law that grants the authority for this proposed rule?

If codified, please give Arkansas Code citation.

Ark. Code Ann. § 8-7-509(f)(1)

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

The amendment adds one site (Cedar Chemical Company, in Helena, Phillips County) to the National Priority List section of the Regulation, authorizing the expenditure of state funds from the Arkansas Remedial Action Trust Fund in support of Federal investigative and remedial actions at that site. While initial site characterization and remedial design are fully federal-funded, actual clean-up costs will require a 10% match from state funds, and long-term care for the site after clean-up is completed must be fully funded by either the state or any identified responsible parties. Additionally, six sites (including Cedar Chemical) are nominated for deletion from the State Priority List section of the regulation, indicating that health risks from these sites have been controlled and clean-up activities under the State's responsibilities have been completed; or in the case of Cedar Chemical, the site has been approved for addition to the federal National Priority List for address under the federal Superfund program.

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).

[http://www.adeq.state.ar.us/regs/drafts/draft\\_regs.htm](http://www.adeq.state.ar.us/regs/drafts/draft_regs.htm)

9. Will a public hearing be held on this proposed rule? Yes  No

If yes, please complete the following:

Date: March 4, 2013

Time: 2:00 p.m.

Place: Commission Room, ADEQ headquarters, 5301 Northshore Drive, NLR, AR 72118

10. When does the public comment period expire for permanent promulgation? (Must provide a date.) March 18, 2013

11. What is the proposed effective date of this proposed rule? (Must provide a date.) ~ June 2013

12. Do you expect this rule to be controversial? Yes  No

If yes, please explain. \_\_\_\_\_

13. 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.

None anticipated. (The three past amendments have garnered no public comments.)

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