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

DEPARTMENT/AGENCY__ADEQ__________________________________________
DIVISION__WATER____________________________________________________
DIVISION DIRECTOR__Martin Maner______________________________________
CONTACT PERSON___Martin Maner________________________________________
ADDRESS__P.O. Box 8913, Little Rock, Ar.________________________________
PHONE NO.__501.682.0654________FAX NO._501.682.0910__E-MAIL__Maner@adeq.ar.state.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
Subcommittee on Administrative Rules and Regulations
Arkansas Legislative Council
Bureau of Legislative Research
Room 315, State Capitol
Little Rock, AR 72201

1. What is the short title of this rule? Regulation Establishing Water Quality Standards for the Surface Waters of the State of Arkansas

2. What is the subject of the proposed rule? Amendments to the Water Quality Standards

3. Is this rule required to comply with federal statute or regulations? Yes__X__No ________ ________

   If yes, please provide the federal regulation and/or statute citation. – Federal Water Pollution Control Act, (a.k.a. “Clean Water Act”) 33 U.S.C. § 1251 et seq. This program is delegated to the State of Arkansas and is administered pursuant to the Arkansas Water and Air Pollution Control Act, A.C.A. § 8-4-101 et seq.

4. Was this rule filed under the emergency provisions of the Administrative Procedure Act?
   Yes_________No__X_______________

   If yes, what is the effective date of the emergency rule? ________________________________

   When does the emergency rule expire? _N/A_________________________________________
EXHIBIT B

Will this emergency rule be promulgated under the permanent provisions of the Administrative Procedure Act? Yes_____ No_______ N/A

5. Is this a new rule? Yes_____ No____ X__ If yes, please provide a brief summary explaining the regulation.

Does this repeal an existing rule? Yes_____ No____ X__ If yes, a copy of the repealed rule is to be included with your completed questionnaire.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____ X__ 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. Arkansas Water and Air Pollution Control Act, A.C.A. § 8-4-101 et seq.

7. What is the purpose of this proposed rule? Why is it necessary?
To amend the Water Quality Standards to maintain and protect the quality of the waters of the State.

8. Will a public hearing be held on this proposed rule? Yes____ X__ No____ If yes, please complete the following:
   Date:  Beginning week of January 4, 2004
   Time:  To be announced via public notice
   Place:  Mountain Home, Fayetteville, Jonesboro, Little Rock, Magnolia and Monticello.

9. When does the public comment period expire for permanent promulgation? (Must provide a date.) ______
   10 working days after last public hearing; on or about February 9, 2004

10. What is the proposed effective date of this proposed rule? (Must provide a date.)
   ________________________________
   April 15, 2004

11. Do you expect this rule to be controversial? Yes____ X__ No____ If yes, please explain.
It is possible this rulemaking will be controversial, regarding designated “Extraordinary Resource Waters” and changes to the phosphorus nutrient criteria. Although ADEQ is not adding any new ERWs, and ADEQ has made some clarification regarding its intent for ERWs, comments are expected. ADEQ has been working diligently since 2001 with interested stakeholders and a working group, which included members of the regulated community, such as AEF, to consider and incorporate their concerns prior to initiation of rulemaking.

12. 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.
AEF—UNKNOWN
IMPACTED CITIES—UNKNOWN
STATE OF OKLAHOMA—UNKNOWN
STATE OF MISSOURI—UNKNOWN