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

DEPARTMENT/AGENCY Arkansas Department of Environmental Quality
DIVISION Solid Waste Management Division
DIVISION DIRECTOR Roger Lawrence
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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

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1. What is the short title of this rule?

Regulation No. 11: Solid Waste Management Fees, Funds and Grants.

2. What is the subject of the proposed rule?

Regulation No. 11 contains the regulations for solid waste disposal fees; Landfill Post-Closure Trust Fund; and the Recycling Grants Program.

3. Is this rule required to comply with federal statute or regulations? Yes______ No _____X_____

If yes, please provide the federal regulation and/or statute citation.

Not applicable.
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? ___ NA ___

   When does the emergency rule expire? ___ NA ___

   Will this emergency rule be promulgated under the permanent provisions of the Administrative Procedure Act? Yes ______ No ______ X ______

5. Is this a new rule? Yes ______ No ______ X ______

   If yes, please provide a brief summary explaining the regulation.
   Not applicable.

   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   If yes, a copy of the repealed rule is to be included with your completed questionnaire.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.
   Not applicable.

   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.


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

   The amendments to Regulation 11 incorporate statutory changes passed by the General Assembly that amend various provisions of the Solid Waste Management

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

If yes, please complete the following:

Date: September 5, 2012
Time: 2:00 - 4:00 p.m.
Place: APC&EC Commission Room, 5301 Northshore Drive, North Little Rock, AR

9. When does the public comment period expire for permanent promulgation?

The period for receiving all written comments shall conclude ten (10) business days after the public hearing pursuant to APC&EC Reg.8.806(B). The projected date for the close of public comment period will be approximately 4:30 p.m. September 20, 2012.

10. What is the proposed effective date of this proposed rule?

Final promulgation of the rule is anticipated on January 25, 2013. The rule will become effective 10 days after filing with the Arkansas Secretary of State, the State Library and the Bureau of Legislative Research, which is anticipated to be February 4, 2013.

11. Do you expect this rule to be controversial? Yes No X If yes, please explain.

Not applicable.

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.

Unknown.