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

DEPARTMENT/AGENCY   Arkansas Department of Environmental Quality (hereinafter, "ADEQ")
DIVISION             Air Division
DIVISION DIRECTOR    Mike Bates
CONTACT PERSON       Mike Bates
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NAME OF PRESENTER AT COMMITTEE MEETING      Mike Bates or Karen Bassett
PRESENTER E-MAIL      bates@adeq.state.ar.us or bassett@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

1. What is the short title of this rule? Regulation No. 19
2. What is the subject of the proposed rule? Arkansas Plan of Implementation for Air Pollution Control
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? Not applicable
   When does the emergency rule expire? Not applicable

EXHIBIT B
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.

Not applicable

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If yes, a copy of the repealed rule is to be included with your completed questionnaire.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

Not applicable

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. §§ 8-4-201, 8-4-202, 8-4-304, and 8-4-311.

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

This proposed rule implements federal rule changes by the United States Environmental Protection Agency (“EPA”) which promulgated greenhouse gas (GHG) emissions plantwide applicability limitations (PALs). Inclusion of PALs permitting into Regulation No. 19 will reduce administrative burden on the Department and will streamline the air permitting process for large facilities subject to GHG permitting.

All other changes are typographical corrections.

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

9. Will a public hearing be held on this proposed rule?  

Yes ☒  No ☐

If yes, please complete the following:

Date: _April 2, 2013_
Time: _2:00 p.m._
Place: _ADEQ Commission Room, 5301 Northshore Drive, North Little Rock, AR, 72118_

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

4:30 p.m., _April 16, 2013_

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

_August 15, 2013_

12. Do you expect this rule to be controversial?  

Yes ☐  No ☒

If yes, please explain.

EXHIBIT B
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.
In general, it is thought that the facilities subject to air permitting requirements will not object to this rulemaking, as it is beneficial to facilities which are subject to GHG permitting. However, the overall consensus towards this proposed rule is unknown at this time.