

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

DEPARTMENT/AGENCY Arkansas Department of Environmental Quality
DIVISION Regulated Storage Tank Division
DIVISION DIRECTOR Richard A. Weiss, Interim Director, ADEQ
CONTACT PERSON Lynda Perry, Program Coord., Section Mgr.
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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

- 1. What is the short title of this rule? Arkansas Pollution Control and Ecology Commission, Regulation No. 12, Storage Tanks

- 2. What is the subject of the proposed rule? Regulated Storage Tanks

- 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. 42 U.S.C. § 6991; 40 CFR Parts 280.10 through 280.74; 40 CFR Parts 280.90 through 280.115.

- 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? 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 _____ 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 Yes _____ No X If yes, a copy of the repealed rule is to be included with your completed questionnaire.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. Subchapter 8 of The Arkansas Hazardous Waste Management Act, A.C.A. § 8-7-801 et seq.

7. What is the purpose of this proposed rule? Why is it necessary? To regulate underground storage tank systems and certain aboveground storage tank systems in order to protect the public health and the lands and waters of the State of Arkansas.

8. Will a public hearing be held on this proposed rule? Yes X No _____
If yes, please complete the following:

Date: Week of June 2, 2002, exact date and time to be determined by public affairs officer

Time: _____

Place: APC&E Commission Room, State Police Headquarters, 1 State Police Plaza, Little Rock, Arkansas 72209 (date and time to be public noticed).

9. When does the public comment period expire for permanent promulgation? (Must provide a date.)
Ten business days after the date of the public hearing; approximately June 18, 2002

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

September 13, 2002 (ten days after filing with the Secretary of State)

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

The majority of the changes being proposed by the agency are in order to make the regulatory provisions consistent with recent statutory changes, or consistent with changes to federal regulations which have been made by EPA. However, comments are expected on this rule-making. Most of the public comments are not expected to be germane to the rule-making being proposed by the agency.

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.

Arkansas Oil Marketers Association – UNKNOWN

Arkansas Environmental Federation - UNKNOWN