

**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 Division

DIVISION DIRECTOR Steve Martin, Chief

CONTACT PERSON Michael Bonds, Legal Division

ADDRESS 8001 National Drive, P.O. Box 8913, Little Rock, AR 72219-8913

PHONE NO. 501-682-0918 **FAX NO.** 501-682-0891 **E-MAIL** bonds@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
Subcommittee on Administrative Rules and Regulations
Arkansas Legislative Council
Bureau of Legislative Research
Room 315, State Capitol
Little Rock, AR 72201

What is the short title of this rule? Regulation 16: Waste Reduction, Reuse and Recycling Tax Credits

2. What is the subject of the proposed rule? Tax Credits

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.

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? _____

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

EXHIBIT C

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 Yes _____ No X If yes, a copy of the repealed rule is to be included with your completed questionnaire.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.

Ark. Code Ann. §26-51-506 (specifically Act 748 of 1991; Act 654 of 1993; Act 1164 of 1999)

7. What is the purpose of this proposed rule? Why is it necessary? The purpose of this regulation is to provide regulation and guidance for taxpayers seeking to claim a tax credit for certain waste reduction, reuse, or recycling equipment.

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

Date: May 4, 2004

Time: 2:00 p.m.

Place: ADEQ Building D Training Room, 8001 National Drive, Little Rock

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

10 business days after the date of the public hearing; on or about May 4, 2004

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

July 1, 2004

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

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 Environmental Federation (unknown); Arkansas Recyclers Association (unknown)