

**ARKANSAS POLLUTION CONTROL & ECOLOGY
COMMISSION
ECONOMIC IMPACT/ENVIRONMENTAL BENEFIT
ANALYSIS**

Rule Number & Title: Regulation No. 12 – Storage Tanks

Petitioner: Arkansas Department of Environmental Quality,
Regulated Storage Tanks Division

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2A. ECONOMIC IMPACT

1. Who will be affected economically by this proposed rule? State: a) the specific public and/or private entities affected by this rulemaking, indicating for each category if it is a positive or negative economic effect; and b) provide the estimated number of entities affected by this proposed rule.

a) Owner and operators of regulated storage tanks which have experienced releases of regulated substances to the environment will have a neutral or positive economic impact as a result of the proposed rules.

b) An estimated two owners or operators of regulated storage tanks may be impacted annually by the proposed rule.

Sources and Assumptions: Act 806 of 2011 and Act 406 of 2013

2. What are the economic effects of the proposed rule? State: 1) the estimated increased or decreased cost for an average facility to implement the proposed rule; and 2) the estimated total cost to implement the rule. 1) None. 2) There is no cost to owners or operators to implement this rule.

Sources and Assumptions: The proposed changes are permissive and do not require mandatory efforts for affected entities to comply.

3. List any fee changes imposed by this proposal and justification for each. None

4. What is the probable cost to ADEQ in manpower and associated resources to implement and enforce this proposed change, and what is the source of revenue supporting this proposed rule?

ADEQ anticipates that it will use its existing manpower and associated resources to implement and enforce the proposed change.

Sources and Assumptions:

5. Is there a known beneficial or adverse impact to any other relevant state agency to implement or enforce this proposed rule? Is there any other relevant state agency's rule that could adequately address this issue, or is this proposed rulemaking in conflict with or have any nexus to any other relevant state agency's rule? Identify state agency and/or rule.

None.

Sources and Assumptions:

6. Are there any less costly, non-regulatory, or less intrusive methods that would achieve the same purpose of this proposed rule?

No.

Sources and Assumptions:

2B. ENVIRONMENTAL BENEFIT

1. What issues affecting the environment are addressed by this proposal?

The proposed changes are based on Act 809 of 2011 and Act 406 of 2013; other changes proposed are administrative in nature and do not change the current level of protection of the environment. The proposed changes regarding payments from the Petroleum Storage Tank Trust Fund may serve as an incentive to subsequent owners and operators for conducting corrective action at regulated substance release sites.

2. How does this proposed rule protect, enhance, or restore the natural environment for the well being of all Arkansans?

The proposed changes based on Act 809 of 2011 and Act 406 of 2013 and the other changes proposed are administrative in nature and do not change the current level of protection of the environment.

Sources and Assumptions: Act 809 of 2011 and Act 406 of 2013.

3. What detrimental effect will there be to the environment or to the public health and safety if this proposed rule is not implemented?

None.

Sources and Assumptions:

4. What risks are addressed by the proposal and to what extent are the risks anticipated to be reduced?

None.

Sources and assumptions: