

# **EXHIBIT D**

## **Economic Impact/Environmental Benefit Analysis**

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

**Rule Number & Title:** Regulation No. 2 Water Quality Standards

**Petitioner:** El Dorado Chemical Company ("EDCC")

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**Analysis Prepared by:** Charles R. Nestrud Attorney for EDCC

**Date Analysis Prepared:** June 29, 2010

**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) *EDCC*

Sources and Assumptions: Aquatic Life Supplemental Report-Dissolved Mineral Rulemaking

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.

*There are no economic effects of the proposed rule. Adoption of the proposed rule will rescind part of a previously enacted rule and enable EDCC to continue operations as they have traditionally been conducted.*

Source and Assumptions: Aquatic Life Supplemental Report-Dissolved Mineral Rulemaking.

3. List any fee changes imposed by this proposed and justifications for each.

*None*

4. What is the probably 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.

*None*

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.

*There is no known impact to another state agency nor is there another state agency's rule that could address any of the proposed changes. This rulemaking is not in conflict with, nor has any nexus to and other relevant state agency's rule.*

Sources and Assumptions: N/A

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: N/A

## **2B. ENVIRONMENTAL BENEFIT**

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

*The rule will rescind previously enacted changes to water quality standards, thereby returning the standards to their original levels. There will be no impact to water quality.*

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

*The rule ensures that water quality criteria necessary and appropriate to preserve designated uses will be maintained.*

Sources and Assumptions: Aquatic Life Supplemental Report-Dissolved Mineral Rulemaking

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

*The rule ensures that water quality criteria necessary and appropriate to preserve designated uses will be maintained.*

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

*There is a risk that the rule will not be approved by EPA. It is anticipated that by rescinding a portion of the previously enacted rule EPA will approve the rule change.*

Sources and Assumptions: Aquatic Life Supplemental Report-Dissolved Mineral  
Rulemaking