

EXHIBIT “D”

Economic Impact/Environmental Benefit Analysis Memorandum

MEMORANDUM

TO: Arkansas Pollution Control and Ecology Commission

FROM: Al Eckert

DATE: January 12, 2007

SUBJECT: Economic Impact/Environmental Benefit Analysis

Clean Harbors El Dorado, LLC ("Clean Harbors"), has determined by on-site inspection of Clean Harbors' Outfall 009 and Boggy Creek that the proposed amendment to Regulation No. 2 does not affect small businesses. The surrounding watershed of Boggy Creek is a low lying, swampy, heavily wooded area. The uses of Boggy Creek are limited by physical factors such as lack of consistent flow, mud and silt bottom and a heavily wooded Riparian Zone. Small businesses are not located within this area and therefore no regulatory burden is imposed on small businesses such as fees, reporting requirements or obtaining regulatory permits. Since no small businesses are located along Boggy Creek which can be adversely affected by this amendment to Regulation No. 2, the determination whether the rule can be less costly for small businesses is not before the Commission. Therefore, Clean Harbors submits that no economic impact statement regarding the proposal is required under Executive Order 05-04 and no review by the Arkansas Department of Economic Development is required.

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