

EXHIBIT E

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: McGeorge Construction Company, Inc. ('McGeorge')

Contact/Phone/Electronic mail: Cnestrud@cnjlaw.com

Analysis Prepared by: Charles R. Nestrud Attorney for McGeorge

Date Analysis Prepared: August 29, 2009

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) *McGeorge*

Sources and Assumptions: Use Attainability Analysis Report

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 enable McGeorge to continue operations as they have traditionally been conducted.

Source and Assumptions: Use Attainability Analysis Report.

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 change standards to reflect existing conditions and will not impair designated uses or 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: Use Attainability Analysis Report

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 McGeorge operations may not be permitted under standards that are appropriate for the receiving streams.

Sources and Assumptions: Use Attainability Analysis Report