

EXHIBIT D2

**APPROVAL LETTER FROM
ARKANSAS DEPARTMENT OF ECONOMIC DEVELOPMENT
REGARDING ACT 143 OF 2007**

Mike Beebe
GOVERNORMaria Luisa M. Haley
EXECUTIVE DIRECTOR

February 6, 2008

Michael O'Malley
Arkansas Pollution Control & Ecology Commission
101 E. Capitol Ave., Suite 205
Little Rock, AR 72201

Re: Regulation No. 6, Regulations for State Administration of the National Pollutant Discharge Elimination System (NPDES)

Dear Mr. O'Malley,

Per Act 143 of 2007, I have reviewed the proposed Regulation No. 6, Regulations for State Administration of the National Pollutant Discharge Elimination System (NPDES) and the financial impact statement. Arkansas Code § 25-15-302(d)(1) of Act 143 requires me to determine if you have "taken sufficient measures to balance the objectives of the proposed rules with the interests of the impacted small businesses".

It is my determination that in drafting proposed Regulation No. 6, Regulations for State Administration of the National Pollutant Discharge Elimination System (NPDES) Orders you have taken sufficient steps to protect the interests of the impacted small businesses.

Please feel free to contact me with any questions regarding this matter. I can be reached at (501) 682-6105 or pbrown@1800arkansas.com.

Sincerely,

Patricia Brown
Division Director
Small and Minority Business

PB/sm