

September 30, 2008

Hon. Michael O'Malley
Administrative Hearing Officer
Arkansas Pollution Control and Ecology Commission
101 East Capitol Ave., Suite 205
Little Rock, AR 72201

Re: Regulations No. 19 – Regulations of the Arkansas Plan of Implementation for Air Pollution Control

Dear Judge O'Malley:

Per Act 143 of 2007, (Arkansas Code § 25-15-301 *et seq.*), I have reviewed the proposed Amendment to Regulation No. 19, Regulations of the Arkansas Plan of Implementation for Air Pollution Control. Arkansas Code Annotated § 25-15-303(d)(1) requires me to determine if the petitioners have “taken sufficient measures to balance the objectives of the proposed rules with the interests of the impacted small business” My review of the proposed regulation change does not affect “Small Business” as defined by the Arkansas statute and a financial impact statement is not required.

It is my determination that sufficient steps have been taken to protect the interests of small business in the proposed change to regulation No. 19, Regulation of the Arkansas Plan of Implementation for Air Pollution Control.

Please feel free to contact me with any questions regarding this matter. I can be reached at (501) 682-2559 or pbrown@arkansasEDC.com.

Sincerely,



Patricia Brown
Division Director
Small and Minority Business

PB/ns

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