

STEP 1: DETERMINATION OF ANALYSIS REQUIREMENT
(include in the petition to initiate rulemaking)

1A. Is the proposal expressly addressed by a Federal requirement?

Yes. See 1B.

No. Economic Impact/Environmental Benefit Analysis is not required

ANSWER: Yes.

1B. If 1A is YES, is proposed regulation equivalent, or more stringent, or less stringent than federal requirement?

- If equivalent – Economic Impact/Environmental Benefit Analysis is not required
- If more stringent - Economic Impact/Environmental Benefit Analysis is required

If less stringent - Economic Impact/Environmental Benefit Analysis is not required, but does require federal agency approval prior to adoption if the proposal is part of an authorized state program.

ANSWER: The proposed regulation is pursuant to the triennial review of water quality standards, as legally mandated by the Clean Water Act. The proposed regulation is equivalent to federal requirements and no analysis is required.

STEP 2: THE ANALYSIS

(include the following Analysis in the petition to initiate rulemaking, if required*)**

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

Rule Number & Title:

Petitioner:

Contact/Phone/Email:

Analysis Prepared by:

Date Analysis Prepared:

ECONOMIC IMPACT

1. Who will be affected economically, either beneficially or adversely, by this proposed rule? Describe the specific public and/or private entities that may be affected; and estimate the number of each type of affected entity.

Sources and Assumptions:

2. What are the costs associated with this rule? Complete the following, or at a minimum, provide equivalent analysis noting sources and assumptions, using information reasonably available.

ESTIMATED FINANCIAL IMPACT DUE TO PROPOSED RULE:

MONITORING/REPORTING _____ Hours X _____ Hourly Rate = _____ Cost
 Mark with X as appropriate: Initial Costs _____ Annual Costs _____

RECORDKEEPING _____ Hours X _____ Hourly Rate = _____ Cost
 Mark with X as appropriate: Initial Costs _____ Annual Costs _____

PROFESSIONAL SERVICES

LEGAL _____ Hours X _____ Hourly Rate = _____ Cost
ENGINEERING _____ Hours X _____ Hourly Rate = _____ Cost
OTHER (specify) _____ Hours X _____ Hourly Rate = _____ Cost
 Mark with X as appropriate: Initial Costs _____ Annual Costs _____

EQUIPMENT _____ < \$10,000
 _____ \$ 10,001 - \$50,000
 _____ \$ 50,001 - \$100,000
 _____ > \$100,001
 Mark with X as appropriate: Initial Costs _____ Annual Costs _____

CONSTRUCTION _____ < \$10,000
 _____ \$ 10,001 - \$50,000
 _____ \$ 50,001 - \$100,000
 _____ > \$100,001
 Mark with X as appropriate: Initial Costs _____ Annual Costs _____

OPERATIONAL COSTS _____ < \$10,000
 _____ \$ 10,001 - \$50,000
 _____ \$ 50,001 - \$100,000
 _____ > \$100,001
 Mark with X as appropriate: Initial Costs _____ Annual Costs _____

Sources and Assumptions:

INCREASED PERMIT FEES

(Indicate if the new regulatory requirements will result in an increased permit fee assessment on any entity due to changes mandated affecting operations or control equipment.)

Sources and Assumptions:

DECREASED COSTS

(Indicate any anticipated cost savings as a result of the proposed rulemaking)

Sources and Assumptions:

ESTIMATED AVERAGE COST TO AVERAGE FACILITY TO IMPLEMENT RULEMAKING

(Provide summarized cost factoring the information provided above)

_____	Cost Savings
_____	\$0 - \$10,000
_____	\$ 10,001 - \$50,000
_____	\$ 50,001 - \$100,000
_____	> \$100,001

ESTIMATED TOTAL COST TO IMPLEMENT PROPOSED RULEMAKING

(Provide estimated Total Cost for 1 year using Estimated Average Cost and the number of affected entities)

_____	Cost Savings
_____	\$0 - \$ 100,000
_____	\$ 100,001 - \$ 500,000
_____	\$ 500,001 - \$1,000,000
_____	> \$1,000,001

3. Who will bear the costs of this proposed rule? Define specific public and/or private entities.

4. What are the economic benefits associated with the proposed rule, who will benefit from this proposed rule and how? Define specific public and/or private entities.
Sources and Assumptions:

5. List any new fees or changes in fees imposed by this proposal, and justification for each.

6. What is the probable 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?
Sources and Assumptions:

7. 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 rules? Identify state agency and/or rule.

8. Are there any less costly, non-regulatory, or less intrusive methods that would achieve the same purpose of this proposed rule?
Sources and Assumptions:

ENVIRONMENTAL BENEFIT

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

EXHIBIT E

2. How does this proposed rule protect, enhance, or restore the natural environment for the well being of all Arkansans? Please describe any direct improvement in, or reduction of risk to human health, and any direct improvement in, or reduction of risk of adverse effects to wildlife, plant communities, the environment, or scenic or other esthetic values.

Sources and Assumptions:

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

Sources and Assumptions:

4. Will the proposed rule result in a direct reduction of emissions into the environment? If so, describe in detail.

Sources and Assumptions:

5. Will the proposed rule involve a transfer of the pollutants to another environmental medium? If so, describe in detail.

Sources and Assumptions:

6. Will the proposed rule result in an increase or decrease in the amount of waste that is generated by an affected entity? Will the proposed rule have an impact on the amount of materials that are likely to be recycled for beneficial reuse? If so, describe in detail.

Sources and Assumptions:

7. Does the proposed rule promote pollution prevention and result in other improvements to the environment or reductions in detrimental effects on the environment which are not described above? If so, describe in detail.

Sources and Assumptions:

****This Analysis shall be available for public review along with the proposed rule in the public comment period. The Commission shall compile a response to comments demonstrating a reasoned evaluation of the relative impact and benefits of the more stringent regulation (see A.C.A. 8-1-203 (b)(1)(E)).*