

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

Rule Number & Title:	Regulation No. 6, Regulations for State Administration of the National Pollutant Discharge Elimination System (NPDES)
Petitioner:	Arkansas Department of Environmental Quality, Water Division
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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.

The proposed amendments to Regulation No. 6 will result in a positive economic impact to affected entities. Operators that discharge pesticides into waters of the State would be able to obtain permit coverage under the permit-by-rule and would not need to submit permit fees to ADEQ. Likewise, industrial users that discharge pollutants into a publicly owned treatment works ("POTW") will no longer be required to obtain a permit from ADEQ and would not need to pay associated permit fees.

Sources and Assumptions:

Proposed rule.



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.

See above. Affected entities would no longer need to pay permit fees. All costs to implement the rule would be covered by the federal grant for ADEQ's NPDES permitting program.

Sources and Assumptions:

Proposed rule; ADEQ Water Division staff

3. List any fee changes imposed by this proposal and justification for each.

None.

4. 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?

As covered entities will not be required to submit permit coverage paperwork to the Department, the costs of implementation will be low. Any necessary costs for enforcement will be covered by current federal grant funds available for the implementation of the NPDES permitting program.

Sources and Assumptions:

ADEQ Water Division staff

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 beneficial or adverse impact to any other relevant state agency.

Sources and Assumptions:

Not applicable

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

Market-based or voluntary standards are not appropriate alternatives for the proposed changes. A permit-by-rule by definition follows the rulemaking process.

Sources and Assumptions:

Not applicable

2B. ENVIRONMENTAL BENEFIT

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

The proposed amendments offer regulatory flexibility for operators discharging pesticides into waters of the State and to industrial users of POTWs. Appropriate regulatory mechanisms promote compliance with environmental regulations.

2. How does this proposed rule protect, enhance, or restore the natural environment for the well being of all Arkansans?

Appropriate regulatory mechanisms promote compliance with environmental regulations.

Sources and Assumptions:

Comments received on the general permit issued for discharges of pesticides into waters of the State.

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

Unnecessary regulatory requirements may impede quick and effective compliance with environmental laws.

Sources and Assumptions:

Comments received on the general permit issued for discharges of pesticides into waters of the State.

4. What risks are addressed by the proposal and to what extent are the risks anticipated to be reduced?

Unnecessary regulatory requirements may impede quick and effective compliance with environmental laws.

Sources and assumptions:

Comments received on the general permit issued for discharges of pesticides into waters of the State.