

ARKANSAS POLLUTION CONTROL & ECOLOGY COMMISSION

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November 23, 2005

Mr. Sylvester Smith
Unit Leader
Small and Minority Business
Arkansas Department of Economic Development
One Capitol Mall
Little Rock, AR 72201

RE: Regulatory Flexibility Analysis of Proposed Arkansas Pollution Control & Ecology Commission (APC&EC) Regulation No. 13, Laboratory Certification Fees and APC&EC Regulation No. 9

Dear Mr. Smith:

Please find enclosed the Economic Impact Statement of Proposed Rules or Regulations EO 05-04: Regulatory Flexibility together with proposed Regulation No. 13 and proposed Regulation No. 9. The Arkansas Department of Environmental Quality (ADEQ) petitioned to initiate rulemaking on these two regulations with the matter to come before the Arkansas Pollution Control & Ecology Commission on December 9, 2005.

Please expedite the review of these documents and notify me at your earliest convenience whether you concur with ADEQ's analysis of these proposed regulations on small business.

If you have any questions, please do not hesitate to contact me.

Respectfully,

Michael O'Malley
Administrative Hearing Officer

EXHIBIT E

cc: Commissioner Ackerman
Director Marcus Devine
William Eckert
Randy Thurman
Allan Gates
Hon. James Norton
Mary Leath
Becky Keogh
Ellen Carpenter
Deborah Pitts
Connie Burks
Elton Roe
Shane Khoury
Mary Rivera
Harley Fancher
Commissioners