

ECONOMIC IMPACT/ENVIRONMENTAL BENEFIT ANALYSIS

Answer to best of the proponent's ability, as required by APC&EC Regulation 8, Chapter 3.5

STEP 1: DETERMINATION OF ANALYSIS REQUIREMENT (to be included in petition to initiate rulemaking)

APC&EC REGULATION NO. 11 REGULATIONS FOR SOLID WASTE DISPOSAL FEES; LANDFILL POST-CLOSURE TRUST FEES; ILLEGAL DUMPS PROGRAM AND RECYCLING GRANTS PROGRAM FEBRUARY 2008 UPDATE

1A. Is the proposal expressly addressed by a Federal requirement? **No.**

If yes, see 1B.

If no, an Economic Impact/Environmental Benefit Analysis is not required.

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

- 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.

STEP 2: THE ANALYSIS (to be included in petition to initiate rulemaking, if required)

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.

(a) Ark. Code Ann. § 25-15-302(a)(2)(C) exempts from the required analysis rules that “substantially codify existing state or federal law.” Since most of the changes proposed in this rulemaking codify into the regulation new and existing state laws as outlined above, this rulemaking should be exempt from the analysis. Those changes that do not codify new and existing laws are minor administrative and stylistic changes that should not affect small businesses. Deadlines are clarified under the recycling grants program, but should not have an economic impact on small businesses.

(b) There are approximately 18 regional solid waste management districts and their respective counties and municipalities within their jurisdictional boundaries.

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.

1) Unknown. The Department doesn't have sufficient data to determine an estimated increase or decrease. However, the proposed changes provide clarification to deadlines and should not have an economic impact.

2) Unknown. There is no anticipated cost to implement this rule on small businesses or the Department.

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?

None.

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 impact to another state agency nor is there another state agency's rule that could address any of the proposed changes. This rulemaking is not in conflict with, nor has any nexus to, any other relevant state agency's rule.

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

No.

2B. ENVIRONMENTAL BENEFIT

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

While the rule is mostly administrative, it is expected to provide indirect long-term positive effects on the environment. The regulation pertains to solid waste disposal fees, the Landfill-Post-Closure Trust Fund, and the Recycling Grants Program.

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

The regulation pertains to solid waste disposal fees, the Landfill-Post-Closure Trust Fund, and the Recycling Grants Program. Minimizing waste placed in landfills is crucial through the recycling program and providing mechanisms for proper landfill maintenance is crucial to the environment and human health.

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

Unknown.

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

Unknown.