

## MEMORANDUM

To: Arkansas Pollution Control and Ecology Commission

From: Valerie L. Hays, Attorney, Arkansas Department of Environmental Quality. 

Date: July 9, 2009

### **RE: Compliance with Act 143 of 2007**

Please see the Economic Impact Statement (Exhibit E of the Rulemaking Packet) and attached email from Mr. Ben Jones to Ms. Pat Brown of the Arkansas Economic Development Commission. On June 23, 2009, Mr. Jones properly submitted the proposed rule changes to AEDC for review pursuant to Act 143 of 2007. At such time as AEDC provides documentation of its review of the rule, ADEQ will supplement this memorandum by filing the response from AEDC with the Commission's Administrative Hearing Officer and placing a scanned copy of the response on the Commission's website.

-----Original Message-----

**From:** Jones, Benjamin

**Sent:** Tuesday, June 23, 2009 2:50 PM

**To:** 'pbrown@arkansasedc.com'

**Subject:** RE: Economic Impact Statements for Proposed Amendments to Regulation 18 and Regulation 26 of the Arkansas Pollution Control and Ecology Commission

Ms. Brown,

Please find attached the economic impact statement (EIS) for the proposed changes to Section 18.605 of Regulation 18 that I previously informed you about. The proposed changes to this section was not included in the EIS previously provided to you. This attachment should complete my submittal for Regulation 18. If you have any questions please feel free to contact me at the phone number below. Thank you for your time.

Sincerely,

Benjamin T. Jones  
Attorney Specialist  
Arkansas Department of Environmental Quality  
(501) 682-0889

-----Original Message-----

**From:** Jones, Benjamin

**Sent:** Friday, June 12, 2009 7:41 AM

**To:** 'pbrown@arkansasedc.com'

**Subject:** Economic Impact Statements for Proposed Amendments to Regulation 18 and Regulation 26 of the Arkansas Pollution Control and Ecology Commission

Ms. Brown,

Good afternoon. I was asked to make some additional changes to the regulations I submitted previously. The changes are clerical in nature and do not change the substance of the proposed changes. For your convenience I have attached the EIS statements for both Regulations 18 and 26 in addition to the latest draft version of the regulations. Please feel free to contact me if you have any questions. Thank you for your time and assistance with this matter.

Sincerely,

Benjamin T. Jones  
Attorney Specialist  
Arkansas Department of Environmental Quality  
(501) 682-0889

-----Original Message-----

**From:** Jones, Benjamin

**Sent:** Tuesday, May 26, 2009 11:51 AM

**To:** 'pbrown@arkansasedc.com'

**Subject:** RE: Economic Impact Statements for Proposed Amendments to Regulation 18 and Regulation 26 of the Arkansas Pollution Control and Ecology Commission

Ms. Brown,

Good morning. It has come to my attention that I was to submit a copy of each regulation with the proposed amendments included. Please find attached Regulation 18 and Regulation 26 with the proposed amended language. I would like to supplement my submission of the Economic Impact Statements sent on the 18th with these draft amended regulations. I understand that this will reset the time AEDC has to submit a response under state law. The proposed amendments are as follows:

Regulation 18: 1) Definition of "Air Contaminant" in Chapter 2 and 2) SEction 18.301(C).

Regulation 26: 1) Definition of "Air Contaminant" in Chapter 2, 2) Section 26.303(E), and 3) Section 26.305.

EXHIBIT D

Please feel free to contact me if you have any questions or if I can be of any further service. Thank you for your time and consideration of my submission.

Sincerely,

Benjamin T. Jones  
Attorney Specialist  
Arkansas Department of Environmental Quality  
(501) 682-0889

-----Original Message-----

**From:** Jones, Benjamin

**Sent:** Monday, May 18, 2009 10:38 AM

**To:** 'pbrown@arkansasedc.com'

**Subject:** Economic Impact Statements for Proposed Amendments to Regulation 18 and Regulation 26 of the Arkansas Pollution Control and Ecology Commission

Ms. Brown,

Good morning. Please find attached Economic Impact Statements for proposed amendments to Regulation 18 and Regulation 26, both of the Arkansas Pollution Control and Ecology Commission. The Arkansas Department of Environmental Quality would like to initiate rulemaking for the proposed regulation amendments. In accordance with the regulation formatting and drafting guidelines I am submitting the Economic Impact Statements for your review prior to filing a petition to initiate rulemaking. If you have any questions or need to contact me, you can reach me at the phone number provided below. I thank you in advance to your time and consideration of my submittals.

Sincerely,

Benjamin T. Jones  
Attorney Specialist  
Arkansas Department of Environmental Quality  
(501) 682-0889