

**TO:** Arkansas Pollution Control and Ecology Commission

**FROM:** Mike Bates, Chief, Air Division *MB*

**THROUGH:** Legal Division *MB*

**DATE:** October 9, 2009

**SUBJECT:** Revision to Regulation Number 18, Arkansas Air Pollution Control Code  
APC&E Commission Docket #09-004-R

This memo is intended to supplement the Regulation 18 packet that was filed with the Commission and initiated for rulemaking on September 25, 2009.

When rulemaking for Regulation 18 was initiated, the Department had not received an opinion from the Arkansas Economic Development Commission (AEDC) as to whether this revision impacted small businesses. Attached to this memo is a reply from AEDC postmarked October 7, 2009, stating that the Department has indeed taken sufficient steps to protect the interests of small businesses within the state.

We request to amend the initiation packet to reflect this addendum.

July 9, 2009

Mike Bates  
Program Coordination Section Manager  
Arkansas Department of Environmental Quality  
Air Division  
5301 Northshore Drive  
North Little Rock, AR 72118-5317

Re: Amendment to the Arkansas Pollution Control and Ecology Regulation 18, Arkansas Air Pollution Control Code

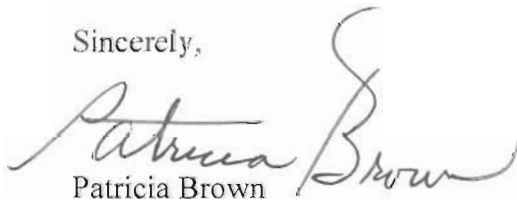
Dear Mr. Bates,

Per Act 143 of 2007, I have reviewed the proposed Amendment to the Arkansas Pollution Control and Ecology Regulation 18, Arkansas Air Pollution Control Code and the financial impact statement. Arkansas Code § 25-15-302(d)(1) of Act 143 requires me to determine if you have “taken sufficient measures to balance the objectives of the proposed rules with the interests of the impacted small businesses”.

It is my determination that in drafting proposed Amendment to the Arkansas Pollution Control and Ecology Regulation 18, Arkansas Air Pollution Control Code you have taken sufficient steps to protect the interests of the impacted small businesses.

Please feel free to contact me with any questions regarding this matter. I can be reached at (501) 682-2559 or [pbrown@arkansasedc.com](mailto:pbrown@arkansasedc.com).

Sincerely,



Patricia Brown  
Division Director  
Small and Minority Business

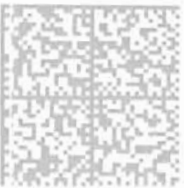
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