

# MEMORANDUM

Date: April 15, 2016

To: Arkansas Pollution Control and Ecology Commission (“Commission”)

From: Stuart Spencer, Associate Director, Office of Air Quality, Arkansas Department of Environmental Quality (ADEQ)

**RE: Act 759 of 2013 Repeals Act 143 of 2007**

The proposed changes to Regulation No. 19 submitted by the Arkansas Department of Environmental Quality (“Department”) are exempt from the requirements of Act 143 of 2007, as amended by Act 809 of 2009, because it has been repealed by Act 759 of 2013.

By repealing Act 143 requirements, Act 759 also exempts the Department from the requirement to prepare and send an economic impact statement to the Arkansas Economic Development Commission and a memo explaining whether a means exists to make the rule less costly for small business without compromising the objective of the rule.

Following the Commission’s recommendation, in light of the Governor’s Executive Order 15-02, the Department will perform an economic impact/environmental benefit analysis, which will provide information on the impact of these proposed rulemakings and include the analysis in its petition to initiate rulemaking packet.