

EXHIBIT C:

Financial Impact Statement

FINANCIAL IMPACT STATEMENT

PLEASE ANSWER ALL QUESTIONS COMPLETELY

DEPARTMENT Arkansas Department of Environmental Quality
DIVISION Hazardous Waste Division
PERSON COMPLETING THIS STATEMENT Tom Ezell
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To comply with Act 1104 of 1995, please complete the following Financial Impact Statement and file two copies with the questionnaire and proposed rules.

SHORT TITLE OF THIS RULE

APC&EC Regulation No. 23, 2011 Annual Update

1. Does this proposed, amended, or repealed rule have a financial impact?
Yes XX No _____
2. Does this proposed, amended, or repealed rule affect small businesses?
Yes XX No _____

If yes, please attach a copy of the economic impact statement required to be filed with the Arkansas Economic Development Commission under Arkansas Code § 25-15-301 *et seq.*

Attached as Exhibits "E" and "F" to this rulemaking packet

3. If you believe that the development of a financial impact statement is so speculative as to be cost prohibited, please explain.

N/A. Estimated costs are provided below.

4. If the purpose of this rule is to implement a federal rule or regulation, please give the incremental cost for implementing the rule. Please indicate if the cost provided is the cost of the program.

<u>Current Fiscal Year (2012)</u>		<u>Next Fiscal Year (2013)</u>	
General Revenue:	\$0.00	General Revenue:	\$0.00
Federal Funds:	\$ 905,000.00	Federal Funds:	\$ 905,000.00
Cash Funds:	\$0.00	Cash Funds:	\$0.00
Special Revenue:	~\$ 2 million	Special Revenue:	~ \$2 million
Other (Identify):		Other (Identify):	
Total:	\$ 2.9 million	Total:	\$ 2.9 million

No additional costs or savings to State agencies have been identified as a result of implementing these proposed revisions to Regulation No. 23. No additional costs or savings in federal funding to the State have been identified.

5. What is the total estimated cost by fiscal year to any party subject to the proposed, amended, or repealed rule? Identify the party subject to the proposed rule and explain how they are affected.

<u>Current Fiscal Year (2012)</u>		<u>Next Fiscal Year (2013)</u>	
N/A	\$0.00	N/A	\$0.00
Total:	\$0.00	Total:	\$0.00

Regulation No. 23 affects all businesses and facilities which generate or manage hazardous wastes, used oil, and universal wastes. As of August 31, 2010, this addressed approximately 4,555 facilities and businesses in Arkansas, of which 1,275 actively manage hazardous wastes. The regulatory changes in this proposal are equivalent to previous state and federal requirements, so regulated facilities are anticipated to incur no additional costs to doing business or maintaining compliance. These costs will vary widely by the nature of each affected facility, and it would be speculative to estimate these costs over the wide range of businesses and operations subject to the hazardous waste management program.

6. What is the total estimated cost by fiscal year to the agency to implement this rule? Is this the cost of the program or grant? Please explain.

<u>Current Fiscal Year (2012)</u>		<u>Next Fiscal Year (2013)</u>	
Federal Funds:	\$0.00	Federal Funds:	\$0.00
Special Revenue:	\$0.00	Special Revenue:	\$0.00
Total:	\$0.00	Total:	\$0.00

Implementing these proposed revisions will not discernibly increase or decrease ongoing program operational or administrative costs. At the State level, these additional program elements will be carried out with the currently authorized/existing staff and associated resources, so there is no discernible additional increase in program, administrative, or logistic costs to the Department from implementing these revisions. Overall program costs are estimated as shown under Question 5 above, at approximately \$2.9 million.