

# **Exhibit E:**

## **Economic Impact/ Environmental Benefit Analysis**

**ECONOMIC IMPACT STATEMENT  
OF PROPOSED RULES  
EO 05-04: Regulatory Flexibility**

Department: Arkansas Department of Energy and Environment

Divisions: Division of Environmental Quality

Contact Person: David Witherow; Penny Wilson      Date: January 15, 2020

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Title or Subject: Arkansas Pollution Control and Ecology Commission Rule No. 23

**Benefits of the Proposed Rule**

1. Explain the need for the proposed change(s). Did any complaints motivate you to pursue regulatory action? If so, Please explain the nature of such complaints.

*The Division of Environmental Quality proposes to initiate rulemaking to adopt revisions to the federal hazardous waste rules. These revisions are necessary to keep the Arkansas hazardous waste rules current with the corresponding federal requirements and to maintain program authorization in lieu of the requirements of the U.S. EPA. The proposed amendments also make modifications to the rule required by Act 315 of 2019 to change all references of "Regulation" to "Rule," and also change terminology to conform to the Transformation and Efficiencies Act of 2019.*

*No complaints were received to pursue making the proposed changes.*

2. What are the top three benefits of the proposed rule?

*The top three benefits of the proposed rule are to keep Arkansas hazardous waste rules current with the corresponding federal requirements; to maintain program authorization in lieu of the requirements of the U.S. EPA; and to consolidate and streamline hazardous waste generator rules.*

3. What, in your estimation, would be the consequence of taking no action, thereby maintaining the status quo?

*The consequence of taking no action would be that Arkansas would not maintain federal equivalency and would not be authorized to implement these hazardous waste rules.*

4. Describe market-based alternatives or voluntary standards that were considered in place of the proposed rule and state the reason(s) for not selecting those alternatives.

*There are no market-based alternatives or voluntary standards to consider.*

**Impact of Proposed Rule**

5. Estimate the cost to state government of *collecting information, completing paperwork, filing recordkeeping, auditing and inspecting* associated with this new rule.

*There is no additional cost to the state government associated with adopting these rules.*

6. What types of small businesses will be required to comply with the proposed rule? Please estimate the number of small businesses affected.

*No additional small businesses will be affected by these rules. The proposed rules apply to the same type of facilities as do the current rules.*

7. Does the proposed rule create barriers to entry? If so, please describe those barriers and why those barriers are necessary.

*There are no barriers created with these proposed rules.*

8. Explain the additional requirements with which small business owners will have to comply and estimate the costs associated with compliance.

*There are no additional requirements for small businesses with these proposed rules.*

9. State whether the proposed rule contains different requirements for different sized entities, and explain why this is, or is not, necessary.

*The hazardous waste rules do not apply to "different sized entities." These rules apply to facilities based on their hazardous waste generated during each calendar month.*

10. Describe your understanding of the ability of small business owners to implement changes required by the proposed rule.

*These proposed changes consolidate and streamline the hazardous waste generator rules.*

11. How does this rule compare to similar rules and regulations in other states or the federal government?

*The rules being proposed to be adopted are the current federal rules.*

12. Provide a summary of the input your agency has received from small business or small business advocates about the proposed rule.

*Arkansas businesses are not opposed to the adoption of these proposed federal rules.*