

## MEMORANDUM

TO: STEVE MARTIN,  
CHIEF, SOLID WASTE DIVISION

THROUGH: ELLEN CARPENTER  
CHIEF, LEGAL DIVISION

FROM: DARA A. HALL  
STAFF ATTORNEY, LEGAL DIVISION

DATE: JUNE 6, 2006

RE: ANALYSIS OF REPEAL OF REGULATION NO. 24 PURSUANT  
TO EXECUTIVE ORDER 05-04

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Pursuant to Executive Order No. 05-04, a determination must be made whether or not the proposed rules will affect small business.

The proposed repeal of Regulation No. 24 would have no affect on small business for the following reasons:

1. The two applicable statutes (Ark. Code Ann. § 8-6-707 and Ark. Code Ann. § 8-6-723) effectively regulate the creation of new regional solid waste management districts without regulatory input from Regulation No. 24 so nothing substantive in the regulatory scheme is changed.
2. Only local government entities may form regional solid waste management districts pursuant to the applicable statutes and Regulation No. 24 so no impact on small businesses with or without the regulation.
3. Eliminating superfluous regulations that potentially create confusion and cost time and manpower to navigate would only potentially reduce costs to any business that may potentially be impacted.

The repeal of Regulation No. 24 does not have an affect on small business. Since this rulemaking has no impact on small businesses, this rulemaking should be exempt from the analysis required in Sections 3 through 5 of Executive Order 05-04.