

MEMORANDUM

To: Arkansas Pollution Control and Ecology Commission

From: Mike Bates, Chief, Air Division, Arkansas Department of Environmental Quality 

RE: Compliance with Act 143 of 2007

Please see the attached Economic Impact Statement (Exhibit "E" of the Rulemaking Packet). The proposed changes to Regulation No. 26 are exempt from the requirements of Act 143 of 2007, as amended by Act 809 of 2009, because the proposed changes concerning the biogenic CO₂ emissions incorporate language verbatim from a federal rule. As such, a review by the Arkansas Economic Development Commission is not required.