

**ARKANSAS POLLUTION CONTROL & ECOLOGY COMMISSION  
ECONOMIC IMPACT/ENVIRONMENTAL BENEFIT ANALYSIS**

**Rule Number & Title: Rule 36, “Tire Accountability Program”**

**Petitioner: Division of Environmental Quality**

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**2A. ECONOMIC IMPACT**

**1. Who will be affected economically by this proposed rule?**

**State: a) the specific public and/or private entities affected by this rulemaking, indicating for each category if it is a positive or negative economic effect; and b) provide the estimated number of entities affected by this proposed rule.**

This rule may impact those entities that currently pay fees related to used tires. Specifically, the rule may impact those individuals and entities that pay rim removal fees, import fees, and commercial generator fees. These fees will be carefully tabulated and any business plan that increases these fees will be reviewed by the Legislative Council. Fees will not increase as a result of the rule amendments.

The rule will have a marginal positive economic impact for used tire programs and disposal facilities owned by used tire programs. These facilities will not be required to pay a permit fee to the Division of Environmental Quality (DEQ). Also, the used tire programs will not be required to pay a permit transfer fee to DEQ.

**2. What are the economic effects of the proposed rule?**

**State: a) the estimated increased or decreased cost for an average facility to implement the proposed rule; and b) the estimated total cost to implement the rule.**

There are no additional costs to implement this rule for any of the persons impacted by the rule change.

EXHIBIT E

**3. List any fee changes imposed by this proposal and justification for each.**

There are no fee changes associated with this proposed rulemaking.

**4. What is the probable cost to DEQ in manpower and associated resources to implement and enforce this proposed change, and what is the source of revenue supporting this proposed rule?**

There are no additional costs to implement this proposed rule change.

**5. Is there a known beneficial or adverse impact to any other relevant state agency to implement or enforce this proposed rule? Is there any other relevant state agency's rule that could adequately address this issue, or is this proposed rulemaking in conflict with or have any nexus to any other relevant state agency's rule? Identify state agency and/or rule.**

There is no known economic impact or adverse impact to any other state agency.

**6. Are there any less costly, non-regulatory, or less intrusive methods that would achieve the same purpose of this proposed rule?**

There are no less costly, non-regulatory, or less intrusive methods that would achieve the same purpose of the rule. The rule amendments are required by Act 713 of 2023.

## **2B. ENVIRONMENTAL BENEFIT**

### **1. What issues affecting the environment are addressed by this proposal?**

Under the amendments, four (4) tire accountability boards, which govern the four (4) used tire programs, are created to oversee the collection and disposal of used tires generated in the State of Arkansas. The rule implements greater levels of accountability in order to better protect the environment and the implementation of the Used Tire Accountability Act.

### **2. How does this proposed rule protect, enhance, or restore the natural environment for the well-being of all Arkansans?**

The rule amendment protects the environment because it directly impacts the ability of local government to collect and dispose of used tires. The four (4) tire accountability boards are directly responsible for ensuring that the used tires are properly collected and disposed in accordance with Arkansas law.

### **3. What detrimental effect will there be to the environment or to the public health and safety if this proposed rule is not implemented?**

The amendment to the rule is statutorily mandated so there is no alternative to amending the rule.

### **4. What risks are addressed by the proposal and to what extent are the risks anticipated to be reduced?**

There are no known risks associated with the rule proposal.