



ARKANSAS

ENERGY & ENVIRONMENT

Sarah Huckabee Sanders
GOVERNOR

Shane E. Khoury
SECRETARY

August 14, 2025

VIA ELECTRONIC MAIL

Administrative Rules Subcommittee
Arkansas Legislative Council
Senator Tyler Dees, Co-Chair
Representative Matthew J. Shepherd, Co-Chair
c/o Rebecca Miller-Rice
Bureau of Legislative Research
Email: miller-ricer@blr.arkansas.gov

RE: Request to Exclude Act 149 of 2025 from Reporting Under Section 25-15-216

Senator Dees and Representative Shepherd:

The Bureau of Legislative Research recently released its Report on the Acts of the 2025 Regular Session Specifically Requiring New Rulemaking. That report included Act 149 of 2025, which grants the Department of Energy and Environment, Oil and Gas Commission, authority to regulate Class VI injection wells. While Act 149 authorizes regulation, the Department and the Commission do not believe rulemaking is necessary for the operation of the law unless and until Arkansas is granted primacy over this program by the United States Environmental Protection Agency. As a result, the Department respectfully requests that the Legislative Council exclude Act 149 of 2025 from mandatory reporting requirements, as provided by Ark. Code § 25-15-216(c)(2).

Please contact the undersigned if you have any questions or need any further information.

Thank you for considering this request.

Sincerely,

A handwritten signature in blue ink that reads 'Kesia Morrison'.

Kesia Morrison
Chief Counsel
Department of Energy and Environment