

June1, 2006
P2006-09, CUs/PCPs

FORM # 4, Part 1

NEVADA STATE ENVIRONMENTAL COMMISSION
SMALL BUSINESS IMPACT DISCLOSURE PROCESS
PURSUANT TO 233B "Nevada Administrative Procedures Act"

RE: Proposed Amendment to NAC 445B.001-.3497, AIR CONTROLS: AIR POLLUTION
By: Nevada Division of Environmental Protection (NDEP), Bureau of Air Pollution Control and Bureau of Air Quality Planning

Note: Small Business is defined as a "business conducted for profit which employs fewer than 150 full-time or part-time employees" (NRS 233B.0382).

1. Does this proposed regulation impose a direct and significant economic burden upon a small business? ANSWER: NO.

Federal rules that NDEP had integrated into State regulation were vacated by the U.S. Court of Appeals and appeals were denied, making it necessary for NDEP in turn to remove those provisions from its regulations. Administrative fees that would have been charged to implement the provisions are no longer applicable.

2. Does this proposed regulation restrict the formation, operation or expansion of a small business? ANSWER: NO.

3. If **Yes** to either of questions 1 & 2, the following action must be taken:

A. Was a small business impact statement prepared and was it available at the public workshop(s). ANSWER: Not applicable.

B. Attach the Small Business Impact Statement (part 2) as part of Form #4 upon submission of the proposed regulation to the State Environmental Commission when Form #1 (petition to the Commission) is submitted. ANSWER: Not applicable.