

FORM # 4, Part 1

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

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).

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

1. Does this proposed regulation impose a direct and significant economic burden upon a small business?

ANSWER: No. These amendments establish requirements and timelines for permits issued pursuant to a case-by-case determination for maximum achievable control technologies (MACT) under the federal National Emissions Standards for Hazardous Air Pollutants rules. Federal rules already require sources to submit a case-by-case MACT application; therefore, there will be no added economic impacts to the regulated industry due to NDEP's proposed revisions to the Class I operating permit to construct program.

2. Does this proposed regulation restrict the formation, operation or expansion of a small business?

ANSWER: No.

The small business impact statement was made available at the public workshop held in Carson City on November 4, 2009. Copies may be obtained by calling Paul Williams in the Bureau of Air Quality Planning at (775) 687-9543 or e-mailing pawilliams@ndep.nv.gov.

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Part 2 of Form #4 is not applicable to the amendments being proposed here by NDEP.