

**FORM 4:
NEVADA STATE ENVIRONMENTAL COMMISSION SMALL BUSINESS IMPACT DISCLOSURE
PROCESS PURSUANT TO 233B "Nevada Administrative Procedures Act"**

The purpose of this Form is to provide a framework pursuant to NRS 233B.0608 for drafting and submitting a Small Business Impact Statement (SBIS) to the State Environmental Commission (SEC) and to determine whether a SBIS is required to be noticed and available at the public workshop. A SBIS must be completed and submitted to the Legislative Counsel Bureau for ALL adopted regulations.

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

To determine whether a SBIS must be noticed and available at the public workshop, answer the following questions:

1. Does this proposed regulation impose a direct and significant economic burden upon a small business? (state yes or no. If no, please explain and submit the applicable documentation, which can also be addressed in #8 on the SBIS and simply referred to; and if yes, reference the attached SBIS)

No

2. Does this proposed regulation restrict the formation, operation or expansion of a small business? (state yes or no. If no, please explain and submit the applicable documentation, which can also be addressed in #8 on the SBIS and simply referred to; and if yes, reference the attached SBIS)

No.

If Yes to either of question 1 & 2, a SBIS must be noticed and available at the public workshop.

FORM 4: SMALL BUSINESS IMPACT STATEMENT (NRS 233B.0609)
(Provide attachments as needed)

1. Describe the manner in which comment was solicited from affected small businesses, a summary of the response from small businesses and an explanation of the manner in which other interested persons may obtain a copy of the summary. (Attach copies of the comments received and copies of any workshop attendance sheets, noting which are identified as a small business.)

NDEP completed an analysis based on available information and determined that these proposed reclamation regulations would not have an effect on small mining and exploration projects. Sections 1, 3, and 5 of the regulation changes proposed will merely clarify existing standards of practice within NAC 519A and therefore do not have a financial impact. Section 2 which includes the option to add renewable energy and storage as an approved additional mine closure option will not have a financial impact. Section 4 was proposed to drop public newspaper notice requirements for new permits and major permit modifications. The 519A program spends less than \$1,000 per year on public notices which are spread throughout all of the newspapers across the State and as such this was determined to be an insignificant impact.

[During the month of April three public workshops were held in Winnemucca, Elko and Tonopah, newspaper notices were sent out through six Nevada newspapers, email notices were sent to over 800 email contacts, and notices were posted in 10 public posting locations across the State and on the Division public notice web page. NDEP findings that concluded no significant financial impact to small business was reviewed at the public workshops. There were no follow up questions or concerns from the public regarding our review and determination of no significant financial impact to small business.]

2. The manner in which the analysis was conducted (if an impact was determined).

Not Applicable

3. The estimated economic effect of the proposed regulation on small businesses:

There will be no effect of the proposed regulation on small business.

a. Both adverse and beneficial effects:

Not applicable

b. Both direct and indirect effects:

Not Applicable

4. A description of the methods that the agency considered to reduce the impact of the proposed regulation on small businesses and a statement regarding whether the agency actually used any of the methods. *(Include a discussion of any considerations of the methods listed below.)*

The proposed regulation will not impact small business

A. Simplification of the proposed regulation:

Not applicable

B. Establishment of different standards of compliance for a small business:

Not applicable

C. Modification of fees or fines so that a small business is authorized to pay a lower fee or fine:

Fees are not affected by these proposed regulation amendments.

5. The estimated cost to the agency for enforcement of the proposed regulation. *(Include a discussion of the methods used to estimate those costs.)*

No additional agency costs will be incurred.

6. If this regulation provides for a new fee or increases an existing fee, the total annual amount the agency expects to collect and manner in which the money will be used.

The proposed regulation amendments do not revise any fees.

7. If the proposed regulation includes provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, provide an explanation of why such duplicative or more stringent provisions are necessary.

The proposed regulation amendments do not duplicate nor are more stringent than existing federal, state or local regulatory requirements.

8. The reasons for the conclusions regarding the impact of a regulation on small businesses.

The definition of small business within NRS 233 was reviewed and based on the types of operations affected by these regulations and their impacts we determined prior to outreach that there was no financial impact. We review our findings in detail through the public outreach process and subsequently there was no response from the public regarding concerns related to financial impacts.

I certify that to the best of my knowledge or belief, a concerted effort was made to determine the impact of the proposed regulation on a small business and the information contained in this statement was prepared properly and is accurate.



Administrator, NDEP

8/20/18

Date

<http://www.leg.state.nv.us/Statutes/77th2013/Stats201314.html#Stats201314page2304>