

FORM #4

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

**RE:** P2016-3 Amendments to NAC 445A.070 – 445A.2234, "Standards for Water Quality" to adopt the most recent federal recommended numeric criteria for *Escherichia coli* bacteria for the protection of the water contact recreation beneficial use.

**By:** Nevada Division of Environmental Protection, Bureau of Water Quality Planning

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 or part-time employees" (NRS 233B.0382).**

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)*

Answer: No. Bacteria standards already exist; however, there are no current surface water discharge permits held by small businesses in which bacteria is a parameter of concern. If that changes in the future, the proposed bacteria standards do not require treatment technologies above that which is necessary to meet the existing standards.

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)*

Answer: No. See #1 above.

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

**FORM #4**  
**SMALL BUSINESS IMPACT STATEMENT**  
(NRS 233B.0609)

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 small businesses.)*

Answer: Not applicable. No impacts to small businesses are expected.

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

Answer: Not applicable. No impacts to small businesses are expected.

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

- a. Both adverse and beneficial effects
- b. Both direct and indirect effects

Answer: Not applicable. No impacts to small businesses are expected.

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.)*

- A. Simplification of the proposed regulation
- B. Establishment of different standards of compliance for a small business
- C. Modification of fees or fines so that a small business is authorized to pay a lower fee or fine.

Answer: Not applicable. No impacts to small businesses are expected.

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

Answer: No additional costs are expected. Permit compliance is already built into the Bureau of Water Pollution Control permit fee structure.

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.

Answer: No fees are proposed.

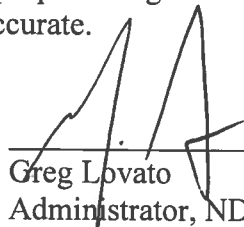
7. If the proposed regulation includes provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, provide an explanation of why the proposed regulation is duplicative or more stringent and why it is necessary.

Answer: The proposed regulation is not more stringent than federal regulations. It aligns Nevada's bacteria standards with the most current EPA recommended bacteria criteria for the protection of human health.

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

Answer: Bacteria standards already exist; however there are no current surface water discharge permits held by small businesses in which bacteria is a parameter of concern. If that changes in the future, the proposed bacteria standards do not require treatment technologies above that which is necessary to meet the existing standards.

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 that the information contained in this statement is accurate.

  
\_\_\_\_\_  
Greg Lovato  
Administrator, NDEP

10/16/17  
\_\_\_\_\_  
Date