

March, 2010
P2010-02, NV CAMR REPEAL

FORM # 4, Part 1

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

RE: Proposed Repeal of NAC 445B.3711-.3791, inclusive, *Nevada Clean Air Mercury Rule Program*, 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.

The repeal removes all potential economic burden previously associated with the *Nevada Clean Air Mercury Rule Program* on existing and new coal-fired electric generating units in Nevada. Furthermore, there are currently only three operating power plants with coal-fired electric generating units in the state: Newmont TS Power, Reid-Gardner and Valmy, and these companies are not small businesses.

2. Does this proposed regulation restrict the formation, operation or expansion of a small business? ANSWER: NO. The proposed repeal of regulations does not affect the formation, operation or expansion of small businesses.

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). 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. Not applicable.