

P2006-16, ASIP; adopt by reference; technical corrections

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), Bureaus of Air Pollution Control and 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 NDEP is proposing to amend several sections in the permitting provisions of NAC 445B. Most of the amendments are in response to U.S. EPA comments on the approvability of the agency’s air pollution control permitting provisions into the applicable State Implementation Plan. The amendments clarify and streamline the permitting regulations; add expiration dates for Class II and Class III construction permits; and make several technical corrections. They also update NAC 445B.221, which adopts federal rules by reference. These changes do not impose a direct and significant economic burden on a small business.

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

ANSWER: NO. The amendments being proposed do not affect the formation, operation or expansion of the regulated industry. (See 1 above.)

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.