

FORM # 4, Part 1
Revised and resubmitted 9/11/08

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.001-3791 in AIR CONTROLS: AIR POLLUTION (SEC Petition 2008-15)
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. Part of the proposed regulation adds a requirement for certain electric generating units to have best available retrofit technology (BART) installed and to comply with specified emission limitations for NO_x, SO₂ and PM₁₀. This BART requirement only impacts two large companies: Sierra Pacific Resources and its subsidiaries Sierra Pacific Power Company and Nevada Power Company, and Southern California Edison Company. The adopt-by-reference update imposes no economic burdens.

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

ANSWER: No.

This small business impact disclosure is being made available at the public workshop being held in Carson City on <TBA>. Copies may also be obtained by calling Adele Malone in the Bureau of Air Quality Planning at (775) 687-9356 or e-mailing amalone@ndep.nv.gov.

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