

**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 to determine whether a small business impact statement is required for submittal of a proposed regulation before the State Environmental Commission. If questions 1 and 2 are answered with a NO, then a small business impact statement is not required. If either question is answered with a YES then a small business impact statement is required prior to the conduct of public workshops by the petitioning agency. *(This form must be submitted with regulatory petition form #1 when a regulation is submitted for drafting by LCB and adoption by the State Environmental Commission.)*

FORM # 4 - Part 1

1. Does this proposed regulation impose a direct and significant economic burden upon a small business ? *(state yes or no, and please explain and submit the applicable documentation if no; and if yes reference the small business impact statement as attached)*

No. The proposed regulation does not impose direct regulation of small businesses. The establishment of water quality standards is required by the Clean Water Act. Water quality standards are set to protect the designated uses of the water. Water quality standards in of themselves have no direct regulatory mechanism, but are used as the basis for discharge permits.

2. Does this proposed regulation restrict the formation, operation or expansion of a small business ? *(state yes or no, and please explain and submit the applicable documentation if no; and if yes reference the small business impact statement as attached)*

No. The proposed regulation does not restrict the formation, operation or expansion of a small business (see explanation in #1 above).

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).

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. *(yes or no, attach a copy of the statement or if a statement was not completed please explain)*

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.

Form 4 - Part 1

SMALL BUSINESS IMPACT STATEMENT

FORM #4 - Part 2

(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.)*

A rationale, explaining the proposed changes to water quality standards regulations, was posted on the Nevada Division of Environmental Protections web site. A mailing summarizing the proposed changes and announcing the workshops was sent to approximately two hundred stakeholders. Workshops to explain the proposed regulation changes were held in Carson City on May 13, 2010; Ely on May 20, 2010; and in Elko on May 21, 2010. The written comment period was open until June 11, 2010.

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

Not Applicable

3. A description of the methods that the agency considered to reduce the impact of the proposed regulation on small businesses. *(Include a discussion of any considerations of the methods listed below.)*

Not Applicable

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

Not Applicable

5. 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.

Not Applicable

6. 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.

Not Applicable

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