

FORM # 4, Part 1

**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.001-445B.3689, "AIR CONTROLS: AIR POLLUTION"
By: Nevada Division of Environmental Protection (NDEP), Bureaus of Air Pollution Control and Air Quality Planning

1. Does this proposed regulation impose a direct and significant economic burden upon a small business?

ANSWER: No. The New Source Performance Standards and National Emission Standards for Hazardous Air Pollutants that we are proposing to adopt are federal rules, and the regulated business/industry must comply with them regardless of whether EPA or NDEP implements them. Therefore, there will be no added economic impacts to the regulated industry due to NDEP's proposed adopt-by-reference regulation update. In fact, industry prefers that NDEP implement the federal rules.

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

ANSWER: No. 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.

This small business impact disclosure is being made available at the public workshop being held in Carson City on December 21, 2011. Copies may also be obtained by calling Paul Williams in the Bureau of Air Quality Planning at (775) 687-9543 or e-mailing pawilliams@ndep.nv.gov.