

# Form #4

## Small Business Impact Disclosure and Statement

Approved 5-2-2014



NEVADA  
STATE ENVIRONMENTAL  
COMMISSION

The purpose of this form is to provide a framework pursuant to NRS 233B.0608 for drafting and submitting a Small Business Impact Statement (SBIS) to the State Environmental Commission (SEC) and to determine whether a SBIS is required to be noticed and available at the public workshop. A SBIS must be completed and submitted to the Legislative Counsel Bureau for ALL adopted regulations.

**Note: Small Business is defined as a "business conducted for profit which employs fewer than 150 full-time employees" (NRS 233B.0382).**

To determine whether a SBIS must be noticed and available at the public workshop, answer the following questions:

**1. Does this proposed regulation impose a direct and significant economic burden upon a small business?** *(state yes or no. If no, please explain and submit the applicable documentation, which can also be addressed in #8 on the SBIS and simply referred to; and if yes, reference the attached SBIS)*

No, the proposed regulation amendment would not have a significant economic burden upon small businesses. See discussion below.

**2. Does this proposed regulation restrict the formation, operation or expansion of a small business?** *(state yes or no. If no, please explain and submit the applicable documentation, which can also be addressed in #8 on the SBIS and simply referred to; and if yes, reference the attached SBIS)*

No, the proposed regulation amendment would not restrict the formation, operation, or expansion of a small business. See discussion below.

If **Yes** to either of question 1 & 2, a SBIS must be noticed and available at the public workshop.

**FORM 4: SMALL BUSINESS IMPACT STATEMENT (NRS 233B.0609)**  
(Provide attachments as needed)

**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 identified as a small business.)*

A public workshop was held virtually on February 15, 2022, from 1:00 - 2:00 PM. The Notice of Public Workshop to solicit comments on proposed regulation amendments was sent to all persons on the agency's mailing list for administrative regulations and posted at the following locations: Nevada State Library and Archives, Department of Conservation and Natural Resources, Nevada Division of Environmental Protection (Las Vegas), Downtown Reno Library, and Elko County Library. Additionally, the meeting notification was distributed to all current certified individuals. This included 489 Certified Environmental Managers, 49 Certified Underground Tank Handlers, 25 Certified Underground Tank Testers, and 5 Certified ABC Trainers. Fifty-two people attended the workshop with fifty-one identifying as small businesses or employed by a small business (see comments, attendance sheet, and transcript attached). There were no negative comments at the meeting regarding the increase in fees or if the revisions would have a negative impact; comments received focused on the requirements for continued educational units (CEUs).

**2. The manner in which the analysis was conducted (if an impact was determined).**

NDEP has determined that the proposed regulation amendment does not impose a direct and significant economic burden upon a small business; nor does it restrict the formation, operation or expansion of a small business.

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

Not Applicable.

a. Both adverse and beneficial effects:

b. Both direct and indirect effects:

**4. A description of the methods that the agency considered to reduce the impact of the proposed regulation on small businesses and a statement regarding whether the agency actually used any of the methods. (Include a discussion of any considerations of the methods listed below.)**

Not Applicable.

**A. Simplification of the proposed regulation:**

**B. Establishment of different standards of compliance for a small business:**

**C. Modification of fees or fines so that a small business is authorized to pay a lower fee or fine:**

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

There is no additional cost to the Division for enforcement of the proposed regulation.

**6. 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.**

This regulation amendment would increase the initial application and biennial renewal fee from \$100 to \$150 for all certified individuals. Currently, there are 568 certified individuals; with each individual renewing every two years, revenue will increase by \$28,400 over a two year period for a total fee collection of \$85,200 over a two year period. This does not include the additional \$50 (or a total of \$150) fee collected at the time of initial certification. Additional funding for NDEP staff and supplies is necessary for continued implementation of the program.

**7. If the proposed regulation includes provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, provide and explanation of why such duplicative or more stringent provisions are necessary.**

The proposed regulation does not overlap or duplicate any other regulations. This regulation is authorized and required by NRS 459.500 and is not the subject of any federal regulation that regulates the same activity.

**8. The reasons for the conclusions regarding the impact of a regulation on small businesses.**

The proposed regulation amendment has been determined to not have an impact on small business through outreach efforts, the proposed fee increases are less than that determined by the National Consumer Price Index, and CEU course are offered free of charge.

I certify that to the best of my knowledge or belief, a concerted effort was made to determine the impact of the proposed regulation on a small business and the information contained in this statement was prepared properly and is accurate.

  
Deputy Adm.  
Administrator, NDEP

3/17/2022  
Date

### Supporting Documents



Attach copies of the comments received and copies of any workshop attendance sheets, noting which are identified as a small business.

<http://www.leg.state.nv.us/Statutes/77th2013/Stats201314.html#Stats201314page2304>