

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.

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.

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.)*

Some engineers operate small businesses. Currently, the Bureau of Safe Drinking Water (BSDW) regulations require that a professional engineer apply a wet ink stamp, and then sign, and date each sheet in an engineering plan submittal. BSDW has received numerous calls from frustrated engineers asking that BSDW allow electronic stamps and digital signatures on plan sheets. Engineers state that it takes up a lot of time to wet stamp, sign, and date each sheet in a submittal, and large submittals can be up to 100+ sheets. The Nevada Board of Engineers (BOE) regulations allow a professional engineer to electronically stamp and digitally sign plans submitted to a governmental agency.

The assumption that there is no adverse small business impact will be summarized during public workshops for additional evaluation and comment by small business.

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

An adverse impact was not determined. A beneficial effect will occur and this is supported by the number of phone calls received from frustrated engineers requesting that BSDW remove "wet stamp" requirements and accept electronic stamps and digital signatures.

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

This proposed regulation will have a beneficial effect. Where secure digital signature is used, it will save an engineer's time when preparing a project for submittal to NDEP. The proposed regulation will create regulatory efficiency by removing outdated requirements and providing for new technology to be used.

a. Both adverse and beneficial effects:

Beneficial: The amendment will save engineering time and create regulatory efficiency.
Adverse: None identified

b. Both direct and indirect effects:

The proposed regulation will save engineering time and create regulatory efficiency. The change will also eliminate NDEP's rejection of plan submittals where a wet ink stamp of the engineer's seal has not been applied. Saving both regulatory time and the business cost for re-submittal of plan sets.

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.)

The proposed regulation has a beneficial effect on small business.

A. Simplification of the proposed regulation:

The proposed regulation strikes the word "wet" from the requirement that a professional engineer use a "wet seal or stamp". The proposal states that the engineer shall add his or her signature, the applicable date and his or her seal or stamp in accordance with NAC 625.610 through NAC 625.613, inclusive.

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

None.

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

None.

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

None. The proposed regulation will not cost BSDW any time or money, and will actually save personnel time.

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.

The regulation does not address fees.

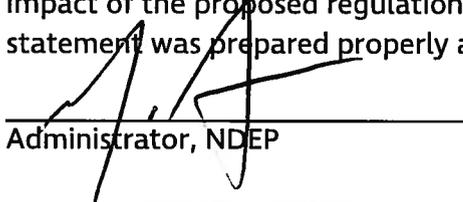
7. If the proposed regulation includes provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, provide an explanation of why such duplicative or more stringent provisions are necessary.

The proposed regulation will cite, and therefore does not overlap or duplicate, BOE regulations which govern how a professional engineer may stamp, sign, and date an engineered design to governmental agencies for review. It is important that BSDW cite BOE regulations for professional engineer design plan preparation requirements.

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

The proposed regulation does not negatively impact small business or the public. The proposed regulation will create regulatory efficiency by removing outdated requirements and providing for new technology to be used.

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.



Administrator, NDEP

May 21, 2020
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>