

# 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 regulations do not impose a direct and significant economic burden on small businesses to our knowledge. This regulatory amendment is intended to correct and clarify existing state hazardous waste regulations and make them more consistent with the federal regulations. Regulated business/industry must comply with these regulations regardless of whether USEPA or the NDEP implements them. Additionally, NDEP is also proposing to revise the Definition of Solid Waste Rule that was partially adopted in 2020 to include the exclusions for hazardous secondary materials; this adoption may provide for a streamlined regulatory structure for certain recyclers of hazardous waste.

**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 regulations do not restrict the formation, operation, or expansion of a small business.

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.)**

No Small Business Impact Statement is needed.

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

No Small Business Impact Statement is needed.

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

None.

a. Both adverse and beneficial effects:

None.

b. Both direct and indirect effects:

None.

**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.)**

No Small Business Impact Statement is needed.

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

None.

**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.

**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.**

None.

**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.**

There are minor changes to the hazardous secondary materials exclusions that are being proposed to be adopted by reference. In section 261.4(a)(1)(ii), “, except as prohibited by §266.505 and Clean Water Act requirements at 40 CFR 403.5(b).” will be deleted. And, in section 261.4(a)(24)(v)(B)(3) is adopted except that the term “publicly available” is deleted.

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

The proposed regulations do not impose a direct and significant economic burden on small businesses to our knowledge. This regulatory amendment is intended to correct and clarify existing state hazardous waste regulations and make them more consistent with the federal regulations. Regulated business/industry must comply with these regulations regardless of whether USEPA or the NDEP implements them. Additionally, NDEP is also proposing to revise the Definition of Solid Waste Rule that was partially adopted in 2020 to include the exclusions for hazardous secondary materials; this adoption may provide for a streamlined regulatory structure for certain recyclers of hazardous waste.

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

11/7/2024  
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>

Signature:   
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