# 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)*

The proposed regulatory amendment is not expected to impose a direct or significant economic burden on a small business. The regulatory amendment deletes obsolete provisions of the Nevada Mercury Control Program, clarifies regulatory requirements, and provides additional permitting tools to address common changes by the regulated industry.

**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)*

The proposed regulatory amendment is not expected to restrict the formation, operation or expansion of a small business. The regulatory amendment deletes obsolete provisions of the Nevada Mercury Control Program, clarifies regulatory requirements, and provides additional permitting tools to address common changes by the regulated industry.

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.)*

The Division has engaged in early discussions with the Nevada Mining Association; and will solicit input from potentially affected small businesses by issuing a public workshop notice to its regulatory mailing lists, posting the notice and proposed regulation on the Division's website, and providing public notice consistent with Nevada's Open Meeting Law. Small businesses will be able to submit written comments or provide input during the workshop.

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

The proposed regulatory amendment is not expected to have a small business impact. However, if the proposed regulatory amendment is potentially determined to have an economic impact on small businesses, the Division will conduct an analysis by reviewing comments submitted, evaluating information provided during the public workshop, and assessing the nature and extent of any economic or operational concerns. The Division will also consider the number and type of small businesses affected and the specific regulatory provisions identified as creating an impact.

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

The proposed regulatory amendment is expected to have a minimal economic effect on the regulation of a small business.

a. Both adverse and beneficial effects:

No adverse effects are expected. Beneficial effects may include providing additional certainty to the regulated industry by updating language and deleting obsolete provisions, and providing additional simplified permitting tools.

b. Both direct and indirect effects:

Direct effects may include providing additional certainty to the regulated industry and updating outdated language. Indirect effects may include lower compliance costs for the regulated industry.

**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.)*

As no impacts on small businesses are anticipated, the Division has not utilized any method to reduce the impact of the proposed regulatory amendment.

A. Simplification of the proposed regulation:

Simplification was not considered as the proposed regulatory amendment generally provides clarification to provide certainty to the regulated industry and updates obsolete language for an existing program.

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

The Nevada Mercury Control Program was established in collaboration with the mining industry, which is the regulated industry for this program.

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

The proposed regulatory amendment establishes new fees for simplified permitting processes which may provide a decrease in costs to the regulated industry.

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

The proposed regulatory amendment is not expected to create any additional enforcement costs for the agency.

**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 proposed regulatory amendment establishes new fees for minor revision ($2,500) and notification of authorized change ($1,000). The current regulation only allows for a revision ($5,000) for all types of changes. So, the proposed regulatory amendment provides simplified permitting and a lesser fee for those type of changes that meet the requirements potentially providing less cost to the regulated industry. And, it is anticipated the small decrease in permitting fees can be absorbed by the Division.

**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 regulatory amendment does not overlap or duplicate the regulations of any other state or local government agency. Nevada's Mercury Control Program predates the federal EPA mercury program; however the Division strives to harmonize requirements where possible.

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

The Division does not anticipate an impact of the proposed regulatory amendment on a small business. The initial analysis considers that the amendment deletes obsolete provisions of the Nevada Mercury Control Program, clarifies regulatory requirements, and provides additional permitting tools to address common changes by the regulated industry.

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.

Jennifer Carr (Jun 18, 2026 18:09:35 PDT)

Administrator, NDEP

06/18/2026

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