

FORM #4

NEVADA STATE ENVIRONMENTAL COMMISSION
SMALL BUSINESS IMPACT DISCLOSURE PROCESS
PURSUANT TO 233B "Nevada Administrative Procedures Act"

RE: P2016-06. Amendments to NAC 486A.010 to 486A.250 and related matters.

By: Nevada Division of Environmental Protection (NDEP), Bureaus of Air Pollution Control and Air Quality Planning

The purpose of this form is to provide a framework pursuant to NRS 233B.0608 to determine whether a small business impact statement is required for submittal of a proposed regulation before the State Environmental Commission (SEC).

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).

PART 1

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 and simply referred to; and if yes reference the small business impact statement as attached)*

Answer: No. The regulation as it exists and the regulation amendment being proposed only affects 21 of the largest city, county, and state agencies located in Clark and Washoe Counties that operate public service sector motor vehicle fleets. The regulation indirectly affects businesses because they supply clean vehicles, motor vehicles, and alternative fuels for those motor vehicles to the regulated state agencies. The proposed amendments would not impose a direct and significant economic burden on these businesses which would rarely meet the definition of a small business.

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 and simply referred to; and if yes reference the small business impact statement as attached)*

Answer: No. The businesses that supply clean vehicles, motor vehicles, and alternative fuels for those motor vehicles to the regulated fleets would not be subject to any restriction due to the proposed regulation amendment.

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? *(yes or no, attach a copy of the statement or if a statement was not completed please explain)*

Answer: No; SBIS not required.

B. Attach the Small Business Impact Statement as part of Form #4 upon submission of the proposed regulation to the SEC when Form #1 (petition to the Commission) is submitted.

PART 2

SMALL BUSINESS IMPACT STATEMENT (NRS 233B.0609)

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 small businesses.)*

Answer: n/a

2. The manner in which the analysis was conducted.

Answer: n/a

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

Answer: n/a

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

A. Simplification of the proposed regulation.

Answer: n/a

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

Answer: n/a

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

Answer: n/a

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

Answer: n/a

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.

Answer: n/a


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 the proposed regulation is duplicative or more stringent and why it is necessary.

Answer: n/a

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

Answer: NAC 486A strictly applies to municipal fleets with 50 or more motor vehicles in counties with populations greater than 100,000. The program requires that those affected fleets purchase clean vehicles and motor vehicles that would use alternative fuels. The businesses that supply clean vehicles, motor vehicles, and alternative fuels for those motor vehicles would not have a direct and significant economic burden imposed upon them and would rarely meet the definition of a small business.

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 that the information contained in this statement is accurate. *and was prepared properly.* 



David Emme
Administrator, NDEP

5/20/11
Date

