

**DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION
FISCAL AND SMALL BUSINESS IMPACT STATEMENT
Adoption of RCSA Section 22a-174-22**

STATE/MUNICIPAL FISCAL IMPACT

Agency Submitting Regulation: Energy & Environmental Protection (DEEP) **Date:** 26 March 2012

Subject Matter of Regulation: Control of nitrogen oxides emissions

Regulation Section No.: RCSA section 22a-174-22

Statutory Authority: CGS section 22a-174

Other Agencies Effected: None

Effective Date Used In Cost Estimate: 1 September 2012

Estimate Prepared By: Elizabeth I. McAuliffe **Telephone No.:** 860-424-3458

Estimated Cost/Revenue Impact

Agency: DEEP

Fund Affected: None

	First Year 2012	Second Year 2013	Third Year 2014
Number of Positions	0	0	0
Personal Services ¹	0	0	0
Other Expenses ²	0	0	0
Equipment ³	0	0	0
Grants	0	0	0
Total State Cost or (Savings)	0	0	0
Estimated Revenue Gain or (Loss)	0	0	0
Total Net State Cost or (Savings)	0	0	0

¹ Actual, direct personal services on a state payroll. Examples of items covered include regular salaries, overtime, payments for vacation and sick leave, longevity and shift differential.

² Operating expenses as well as miscellaneous purposes not included in some other appropriate category. Items included are contractual services, commodities (supplies) and sundry charges.

³ Items included are office equipment, motor vehicles, general plant equipment, education, medical, telecommunications and data processing.

Explanation of State Impact: No cost or savings to the state is expected to result from adoption of this proposal.

Currently, a state air quality program limits nitrogen oxides (NOx) emissions from industrial sources by placing emission limitations on these sources and that program will continue. These amendments are intended to eliminate the burden of having to submit a compliance plan when it is unnecessary, more clearly define a universe of exempt units, and clarify when compliance plans and amendments to plans are required.

The costs associated with those actions are expected to be minimal for the group of regulated sources as a whole.

DEEP will implement the proposal with existing staff and other resources.

Explanation of Municipal Impact: No impact on municipalities is anticipated. See the explanation above concerning the state impact.

SMALL BUSINESS IMPACT

Prior to adopting a new section or amendment, section 4-168a of the Connecticut General Statutes (CGS) requires that each state agency consider the effect of such action on small businesses as defined in CGS section 4-168a. When such regulatory action may have an adverse effect on small businesses, CGS section 4-168a directs the agency to consider regulatory requirements that will minimize the adverse impacts on small businesses if the addition of such requirements (1) will not interfere with the intended objectives of the regulatory action and (2) will allow the new section or amendment to remain consistent with public health, safety and welfare.

State Agency Submitting Proposal: Energy and Environmental Protection (DEEP)

Subject of the Proposal: Control of nitrogen oxides emissions

In accordance with CGS section 4-168a, staff analyzed the effect on small businesses of the proposal and determined the following:

Check all appropriate boxes:

- The proposal will not have an effect on small businesses.
- The proposal will have an effect on small businesses, but will not have an adverse effect on such small businesses.
- The proposal may have an adverse effect on small businesses, and no alternative considered would be both as effective in achieving the purpose of the action and less burdensome to potentially affected small business. Alternatives considered include the following:
- (1) The establishment of less stringent compliance or reporting requirements for small businesses;
 - (2) The establishment of less stringent schedules or deadlines for compliance or reporting requirements for small businesses;
 - (3) The consolidation or simplification of compliance or reporting requirements for small businesses;
 - (4) The establishment of performance standards for small businesses to replace design or operational standards required in the new section or amendment; and
 - (5) The exemption of small businesses from all or any part of the requirements contained in the new section or amendment.
- The proposal will have an adverse effect on small businesses that cannot be minimized in a manner that is consistent with public health, safety and welfare.

Explanation:

Currently, a state air quality program limits nitrogen oxides (NOx) emissions from industrial sources by placing emission limitations on these sources and that program will continue. These amendments are intended to eliminate the burden of having to submit a compliance plan when it is unnecessary, more clearly define a universe of exempt units, and clarifies when compliance plans and amendments to plans are required.

The costs associated with those actions are expected to be minimal for the group of regulated sources as a whole including small businesses. The Department of Environmental Protection anticipates implementing this program with current staffing.