

State has met this requirement by describing a satisfactory program that, when operational, would utilize a variety of outreach techniques to disseminate information to small business stationary sources. These efforts include distributing fact sheets, working with industry trade groups, conducting seminars, developing newsletters for industry-specific mailing lists, disseminating news media articles and developing videotapes. In addition, the State will provide statewide toll-free access to the Small Business Assistance Program, develop a library of reference materials, organize an information clearinghouse and utilize electronic bulletin boards to receive and communicate regulatory information.

The second requirement is to establish adequate mechanisms for assisting small business stationary sources with pollution prevention and accidental release detection and prevention, including providing information concerning alternative technologies, process changes, products and methods of operation that help reduce air pollution. The State has met this requirement by describing a satisfactory program that, when operational, would provide sources with technical information and assistance on air pollution prevention, including technical assistance on process changes and methods of operation that help reduce air pollution. Resources utilized will include the Pollution Prevention Information Clearinghouse which provides information on pollution prevention programs, an electronic database and a toll-free hotline. In addition, the State will help sources develop plans for accidental release prevention and detection. This effort will be coordinated with the appropriate local, state and federal programs. Resources utilized will include a Chemical Safety Audit Program to provide mechanisms for examining process management systems and preventing accidental releases of hazardous air pollutants.

The third requirement is to develop a compliance and technical assistance program for small business stationary sources which assists small businesses in determining applicable requirements and in receiving permits under the Act in a timely and efficient manner. The State has met this requirement by describing a satisfactory program that, when operational, would provide clear and timely compliance advice and assistance to small businesses, including permit assistance, and technical assistance on compliance options such as alternative technologies and material substitution. The state will

provide this assistance using informational materials available on request, statewide toll free access to SBAP, staff presentations at workshops for key target groups and coordination through the appropriate trade associations and industry groups.

The fourth requirement is to develop adequate mechanisms to assure that small business stationary sources receive notice of their rights under the Act in such manner and form as to assure reasonably adequate time for such sources to evaluate compliance methods and any relevant or applicable proposed or final regulation or standards issued under the Act. The State has met this requirement by describing a satisfactory program that, when operational, will notify sources of their rights and responsibilities under the Clean Air Act and Nevada Statutes and Regulations through preparation and distribution of information materials, as well as in providing direct technical assistance.

The fifth requirement is to develop adequate mechanisms for informing small business stationary sources of their obligations under the Act, including mechanisms for referring such sources to qualified auditors or, at the option of the State, for providing audits of the operations of such sources to determine compliance with the Act. The State has met this requirement by describing a satisfactory program that, when operational, would inform small business sources of their obligations under the Act through preparation and distribution of information materials, as well as providing direct technical assistance. Compliance assessments will be provided by the State free of charge to sources and will not involve regulatory or enforcement actions unless a clear and immediate danger is identified. The State will also provide sources with a list of qualified auditors.

The sixth requirement is to develop procedures for consideration of requests from a small business stationary source for modification of (A) any work practice or technological method of compliance, or (B) the schedule of milestones for implementing such work practice or method of compliance preceding any applicable compliance date, based on the technological and financial capability of any such small business stationary source. The State has met this requirement by specifying administrative procedures for small businesses to request modifications of work practices, compliance methods and the implementation for work practices or compliance methods,

The State has provided supplementary written information

describing an implementation schedule of milestones showing when the programs will be operational, what the program resources will be and where the programs will be located organizationally.

## 2. Ombudsman

Section 507(a)(3) requires the designation of a State office to serve as the Ombudsman for small business stationary sources. The State has met this requirement by providing supplementary written information describing a milestone schedule showing when the Ombudsman will be operational. This position will be located within the Nevada State Environmental Commission office. The Ombudsman will serve as an advocate for small business stationary sources in the investigation and resolution of complaints and disputes against the State or local air pollution control agencies. The Ombudsman will also aid in the dissemination of information to small businesses and other interested parties and will encourage small businesses to participate in the development of regulations that affect them.

## 3. Compliance Advisory Panel

Section 507(e) requires the State to establish a Compliance Advisory Panel (CAP) that must include two members selected by the Governor who are not owners or representatives of owners of small businesses; four members selected by the State legislature who are owners, or represent owners, of small businesses; and one member selected by the head of the agency in charge of the Air Pollution Permit Program. The State has not met this requirement because it has not indicated an implementation schedule of milestones showing when the officials will be appointed and when the program will be operational. The composition of the seven member panel will be in accordance with the Clean Air Act requirements.

In addition to establishing the minimum membership of the CAP the CAA delineates four responsibilities of the Panel: (1) To render advisory opinions concerning the effectiveness of the SBAP, difficulties encountered and the degree and severity of enforcement actions; (2) to periodically report to EPA concerning the SBAP's adherence to the principles of the Paperwork Reduction Act, the Equal Access to Justice Act, and the Regulatory Flexibility Act;<sup>2</sup> (3) to

<sup>2</sup>Section 507(e)(1)(B) requires the CAP to report on the *compliance* of the SBAP with these three Federal statutes. However, since State agencies are not required to comply with them, EPA believes that the State PROGRAM must merely require the